



CITY OF CHARLESTON

Planning Commission Agenda Package

FOR THE MEETING OF :

June 21, 2017 2 George St, Charleston, SC
5:00PM - Regular Meeting

CITY OF CHARLESTON



DEPARTMENT OF PLANNING, PRESERVATION AND SUSTAINABILITY

www.charleston-sc.gov/pc

CITY OF CHARLESTON PLANNING COMMISSION

MEETING OF JUNE 21, 2017

A meeting of the City of Charleston Planning Commission will be held at **5:00 p.m., on Wednesday, June 21, 2017** in the Public Meeting Room, 1st Floor, 2 George St. The following applications will be considered:

REZONINGS

1. **Lee St and Nassau St (Peninsula) - TMS# 4590504207** – approx. 1.46 ac. Request rezoning from General Business (GB) to Mixed-Use/Workforce Housing (MU-1/WH).
Owner/Applicant: City of Charleston
2. **Sanders Rd (West Ashley) - TMS# 3060000011, 087 & 088 (portions)** – approx. 4.36 ac. Request rezoning from Single-Family Residential (SR-1) & Diverse Residential (DR-6) to General Office (GO).
Owner: Charleston County School District
Applicant: ADC Engineering Inc
3. **82 Spring St (Cannonborough-Elliottborough - Peninsula) - TMS# 4600803176 (a portion)** – approx. 0.09 ac. Request rezoning from Diverse Residential (DR-2F) to Limited Business (LB).
Owner/Applicant: William K. Turner
4. **1809 Beechwood Rd (West Ashley) TMS# 3540700005** – 0.89 ac. Request rezoning from Single-Family Residential (SR-1) to Single-Family Residential (SR-6).
Owner/Applicant: Matt Chambers
5. **575, 577 & 579 Meeting St and Walnut St (Peninsula) TMS# 4631604021, 020, 019 & 034** – 1.33 ac. Request rezoning from General Business (GB) and Light Industrial (LI) to Mixed-Use/Workforce Housing (MU-2/WH).
Owner: Grant Realty Corporation
Applicant: Randolph W. Cooper, Esq
6. **Meeting St and Romney St (Peninsula) - TMS# 4631202054 through 4631202061** – 0.522 ac. Request rezoning from Limited Business (LB) to Mixed-Use/Work Force Housing (MU-2/WH).
Owner: Robinson Family Associates LLC
Applicant: Sweetgrass Residential LLC
7. **Line St (Peninsula) - TMS# 4590503136** – 0.517 ac. Request rezoning from Light Industrial (LI) to Mixed-Use/Work Force Housing (MU-2/WH).
Owner: Norfolk Southern Rail
Applicant: LS3P
8. **52 Line St (Peninsula) - Right-of-Way** – approx. 0.90 ac. Request rezoning from the 55/30 Old City Height District to the 100/30 Old City Height District.
Owner: Norfolk Southern Rail
Applicant: LS3P
9. **Line St (Peninsula) - TMS# 4590503136** – 0.517 ac. Request rezoning from the 55/30 Old City Height District to the 100/30 Old City Height District.
Owner: Norfolk Southern Rail
Applicant: LS3P

10. 445 Meeting St (Peninsula) TMS# 4590901045 - approx. 2.2 ac. Request rezoning from General Business (GB) to Planned Unit Development (PUD).

Owner/Applicant: 445 Meeting Street Partners LLC

SUBDIVISIONS

1. Greenway Preserve (Mutual Dr – West Ashley) TMS# 3100600106 – 5.22 ac. 18 lots. Request subdivision concept plan approval. Zoned Single-Family Residential (SR-6).

Owner: Catalyst Builders Inc

Applicant: HLA Inc

2. Governors Cay, Phase 5 (Forrest Dr – Cainhoy) TMS# 2710002150 – 6.704 ac. 22 lots. Request subdivision concept plan approval. Zoned Diverse Residential (DR-9).

Owner: Calatlantic Group LLC

Applicant: Stantec

3. Farr Street Homes (Daniel Island) TMS# 2750000182 – 3.74 ac. 13 lots. Request subdivision concept plan approval. Zoned Daniel Island Residential (DI-R).

Owner: Daniel Island Associates, LLC

Applicant: Thomas & Hutton Engineering Co.

ZONINGS

1. 3037 Maybank Highway and adjacent properties on Maybank Hwy and Zelasko Dr (Johns Island) TMS# 3130000075, 071, 072, 073, 231, 252, & 332 – approx. 26.436 ac. Request zoning of Business Park (BP) and General Office (GO). Zoned Maybank Highway Corridor Overlay District (OD-MHC) in Charleston County.

Owner: Multiple Owners

2. Bees Ferry Rd and Hughes Rd (West Ashley) TMS# 2870000054 & 347 – approx. 12.439 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

Owner: Heirs of Phillis Washington

3. 938 Savannah Hwy (West Ashley) TMS# 4181300191 – 0.15 ac. Request zoning of General Business (GB). Zoned Saint Andrews Area Overlay District (OD-STA) in Charleston County.

Owner: Debra U. Myers

4. 1642 Pierpont Ave (West Ashley) TMS# 3530300129 – approx. 0.46 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

Owner: Pamela Dugan and Dan Dugan

ORDINANCE AMENDMENTS

1. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-319 to add additional restrictions for off-site parking for restaurant and catering uses.

2. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 (b) (1) pertaining to the list of criteria considered for an exception to be granted by the Board of Zoning Appeals for an accommodations use within the Accommodations Overlay Zone.

3. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) **by adding to Article 9 thereof a new Part 7 providing for a temporary moratorium on the acceptance or processing of development applications pertaining to properties located in non-residentially zoned districts on James Island that exceed 4 units or 1500 square feet.**
4. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) **pertaining to Article 2, Part 15 – Mixed Use 1 - Workforce Housing District and Mixed Use 2 - Workforce Housing District.**

APPROVAL OF MINUTES

Approval of minutes from previous meetings.

REPORT OF THE TECHNICAL REVIEW COMMITTEE

Over the past month, the following subdivision projects were submitted to the TRC for review and approval. The findings of the TRC shall be presented to the Planning Commission. Items approved by the TRC comply with all applicable regulations and standards of the City of Charleston.

Preliminary & Final Plats

1. **1991 Clements Ferry Road (Cainhoy) TMS# 2680000125** – 5.8 ac. 2 lots. PUD. Preliminary subdivision plat under review.
2. **Bennett's Bluff (Fort Johnson Road – James Island) TMS# 4280000013** – 31.0 ac. 86 lots. SR-1. Preliminary subdivision plat pending approval.
3. **Hopewell Drive (Cainhoy) TMS# 2620000008** – 11.5 ac. R/W. PUD. Preliminary subdivision plat approved.
4. **Floyd Drive Utility Parcel (West Ashley) TMS# 3010000027** – 152.0 ac. 2 lots. GB & GP. Final subdivision plat recorded.
5. **Overture Coburg Road Drainage Parcel (West Ashley) TMS# 3490800001 & 3491200011** – 36.3 ac. 2 lots. PUD & SR-1. Final subdivision plat recorded.
6. **Lucky Road (James Island) TMS# 3410000026 & 103** – 3.2 ac. 3 lots. SR-1. Final subdivision plat recorded.
7. **Cainhoy South (Clements Ferry Road) TMS# 2620000008** – 66.7 ac. 70 lots. PUD. Preliminary subdivision plat under review.
8. **Grimball Road Extension (James Island) TMS# 4270000081** – 0.8 ac. 3 lots. SR-1. Preliminary subdivision plat pending approval.
9. **Cooper Judge Lane (James Island) TMS# 4270000113** – 0.4 ac. 2 lots. SR-1. Preliminary subdivision plat pending approval.
10. **Grand Oaks, Phases 5 & 6 (Proximity Drive – West Ashley) TMS# 3010000686 & 695** – 20.4 ac. 30 lots. PUD. Final subdivision plat pending approval.
11. **Woodbury Park, Phase 1 (Killifish Road – Johns Island) TMS# 3130000050** – 20.4 ac. 47 lots. SR-1. Final subdivision plat pending approval.
12. **Stonoview, Phase 4 (River Road – Johns Island) TMS# 3450000073 & 163** – 87.7 ac. 171 lots. PUD. Preliminary subdivision plat pending approval.
13. **Goldberg Tract (River Road – Johns Island) TMS# 3120000064** – 26.4 ac. 2 lots. RR-1 & C. Preliminary subdivision plat under review.
14. **The Cottages, Phase 3 (River Road – Johns Island) TMS# 3120000125** – 15.3 ac. 60 lots. PUD. Preliminary subdivision plat pending approval.
15. **Essex Farms Single Family (Essex Farms Drive – West Ashley) TMS# 3090000003** – 2.6 ac. 9 lots. LB. Preliminary subdivision plat under review.
16. **Floyd Drive Extension (West Ashley) TMS# 3010000027** – 0.8 ac. 2 lots. GB & GP. Preliminary subdivision plat under review.

17. **Oak Bluff, Phase 1C (Clements Ferry Road – Cainhoy) TMS# 2630002003** – 63.2 ac. 63 lots. SR-1. Preliminary subdivision plat under review.
18. **The Gardens at Riverview Farms (River Road – Johns Island) TMS# 3120000062** – 24.6 ac. 83 lots. PUD. Final subdivision plat recorded.
19. **Magnolia PUD, Phase 2 (Braswell Street – Peninsula) TMS# 4640000025, 026, 028, 029, 035, 039, 040** – 35.6 ac. R/W. PUD. Preliminary subdivision plat pending approval.
20. **Essex Village (Henry Tecklenburg Drive – West Ashley) TMS# 3090000003** – 12.7 ac. 41 lots. PUD. Preliminary subdivision plat pending approval.
21. **Freeman's Point Shared Open Space Lots (Eutaw Battalion Drive – James Island) TMS# 4270000065** – 1.3 ac. 4 lots. PUD. Preliminary subdivision plat approved, final subdivision plat recorded.
22. **Parcels BB-5 & CC-6 (Daniel Island Drive – Daniel Island) TMS# 2750000203 & 2770000011** – 21.3 ac. 73 lots. DI-R. Final subdivision plat recorded.
23. **Heritage Oaks, Phase 2 (Ferguson Road – James Island) TMS# 3370000457** – 2.9 ac. 14 lots. SR-3. Final subdivision plat recorded.

Road Construction Plans

1. **Daniel Island Drive Roundabout (Daniel Island)** – Road construction plans under review.
2. **Bennett's Bluff (Fort Johnson Road – James Island) TMS# 4280000013** – 31.0 ac. 86 lots. SR-1. Road construction plans pending approval.
3. **Oakfield, Phase 5B (Cane Slash Road – Johns Island) TMS# 2780000128** – 25.1 ac. 57 lots. PUD. Road construction plans pending approval.
4. **Cainhoy South (Clements Ferry Road) TMS# 2620000008** – 66.7 ac. 70 lots. PUD. Road construction plans under review.
5. **Stonoview, Phase 4 (River Road – Johns Island) TMS# 3450000073 & 163** – 87.7 ac. 171 lots. PUD. Road construction plans under review.
6. **The Cottages, Phase 3 (River Road – Johns Island) TMS# 3120000125** – 15.3 ac. 60 lots. PUD. Road construction plans under review.
7. **Floyd Drive Extension (West Ashley) TMS# 3010000027** – 0.8 ac. 2 lots. GB & GP. Road construction plans under review.
8. **Oak Bluff, Phase 1C (Clements Ferry Road – Cainhoy) TMS# 2630002003** – 63.2 ac. 63 lots. SR-1. Road construction plans under review.
9. **Magnolia PUD, Phase 2 (Braswell Street – Peninsula) TMS# 4640000025, 026, 028, 029, 035, 039, 040** – 35.6 ac. R/W. PUD. Road construction plans under review.
10. **Essex Village (Henry Tecklenburg Drive – West Ashley) TMS# 3090000003** – 12.7 ac. 41 lots. PUD. Road construction plans under review.

Individuals with questions concerning the above items should contact the Department of Planning, Preservation and Sustainability at (843) 724-3765. Files containing information pertinent to the above applications are available for public review at the City of Charleston Zoning Office, 2 George St, Third Floor, during regular working hours, 8:30 a.m. to 5:00 p.m., daily except Saturdays, Sundays, and holidays. Additional information on these cases may also be obtained by visiting www.charleston-sc.gov/pc. In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.

CITY OF CHARLESTON PLANNING COMMISSION

June 21, 2017

Rezoning 1 :

Lee St and Nassau St (Peninsula)

BACKGROUND

The City of Charleston is requesting rezoning from General Business (GB) to Mixed-Use Workforce Housing (MU-1/WH). The properties are located on Lee Street and Nassau Street in the area of the old Cooper River Bridges. The City of Charleston currently owns the property and plans to transfer it to the City of Charleston Housing Authority for development of affordable housing. Surrounding zonings include General Business (GB), Light Industrial (LI) and Diverse Residential (DR-2, DR-2F) and Mixed-Use/Workforce Housing (MU-2/WH).

The subject property is a portion of the large area left vacant by the removal of the old Cooper River Bridges around 2005. The City intends to redevelop most of the area into housing that will knit the neighborhood back together. Mixed-uses are intended for the areas along Meeting Street and Morrison Drive. The subject property is adjacent to the properties lining Meeting Street that will more than likely have more intense uses and more density than the rest of the former bridge area. The proposed MU-1/WH will give the Housing Authority the flexibility it needs to develop quality affordable housing in an area that needs it. Surrounding uses vary widely as there is a blend of historic and more recent uses and buildings along with vacant lots or buildings considered candidates for redevelopment. Existing surrounding and nearby uses include the Charleston Housing Authority Headquarters, an early childhood education center, the old Copleston's Cleaners building, and single and multi-family homes. A multi-family development is underway across Meeting Street and another property was recently rezoned to MU-2/WH across Lee Street.

The Mixed Use/Workforce Housing zoning districts were created to encourage mixed use development with diverse housing options in appropriate areas of the City. The district provides incentives to encourage a mixture of uses and promotes a mixture of housing opportunities within a single project through rental and homeowner programs aimed at specific income levels. The permitted uses in MU-1/WH are the same as those allowed in Limited Business zoning, so the proposed zoning would allow fewer and less intense commercial uses on this property than is allowed now.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** encourages appropriate infill development within already urbanized areas. The Century V Plan map indicates the subject property is within an area designated as **Urban**. The Urban district is one of the densest, most mixed-use portions of the City and occurs mostly on the peninsula. The area of the peninsula surrounding the subject properties consists of a wide variety of urban uses and building types and a significant potential for urban infill. Because the GB zone district allows both residential and commercial uses, the proposed zoning is appropriate for this property.

STAFF RECOMMENDATION

APPROVAL

Rezoning 1

Lee St and Nassau St (Peninsula)

TMS# 4590504207

approx. 1.46 ac.

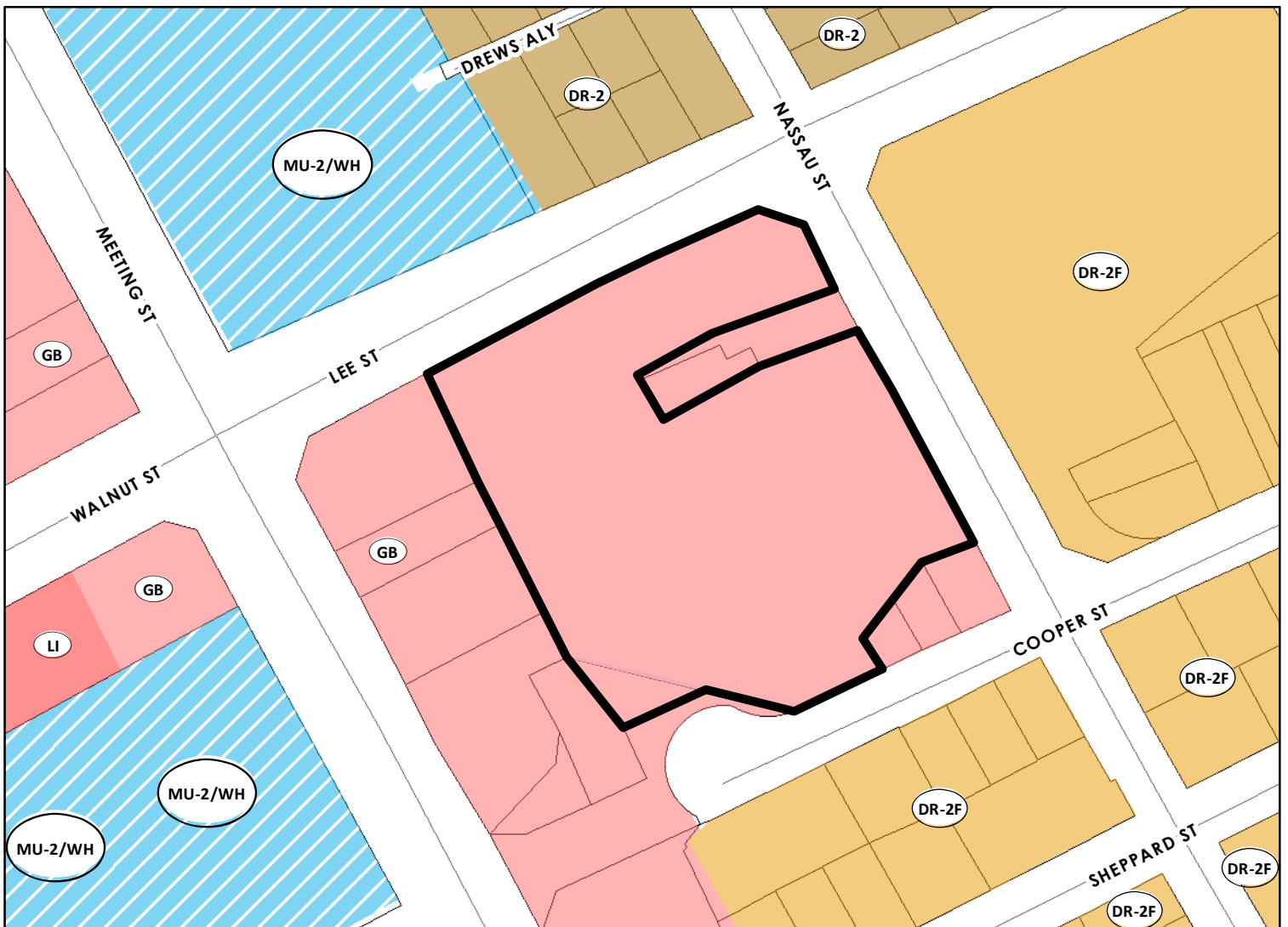
Request rezoning from General Business (GB)
to Mixed-Use/Workforce Housing (MU-1/WH).

Owner/Applicant: City of Charleston

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

June 21, 2017

Rezoning 2 :

Sanders Rd (West Ashley)

BACKGROUND

The applicant, acting on behalf of the owner, Charleston County School District (CCSD), is requesting rezoning from Single-Family Residential (SR-1) & Diverse Residential (DR-6) to General Office (GO) on portions of three properties near West Ashley High School. The properties are surrounded by Single-Family (SR-1), Diverse Residential (DR-6, DR-9) and Planned Unit Development (PUD – Carolina Bay) zonings. Surrounding uses include West Ashley High School, single-family homes, townhomes and vacant lots (owned by CCSD).

The property is currently owned by CCSD, but they plan to transfer the property to the Charleston County Library for development of a new library to serve the outer West Ashley area. The existing residential zonings do not allow libraries, so the General Office (GO) zoning is requested. Sanders Road will be extended to provide access to the library and the future CE Williams Middle School next door.

The GO zoning allows mostly office uses, but also allows schools, libraries, civic uses and other things compatible in suburban areas. Low-density residential is also allowed in the GO zoning district.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** encourages appropriate development within undeveloped areas. The Century V Plan map indicates the subject property is within an area designated as **Campus District**. The Campus District would primarily contain school or office uses that do not conform to traditional urban block patterns. The proposed GO zoning and proposed library are appropriate for this area.

STAFF RECOMMENDATION

APPROVAL

Rezoning 2

Sanders Rd (West Ashley)

TMS# 3060000011, 087 & 088 (portions)

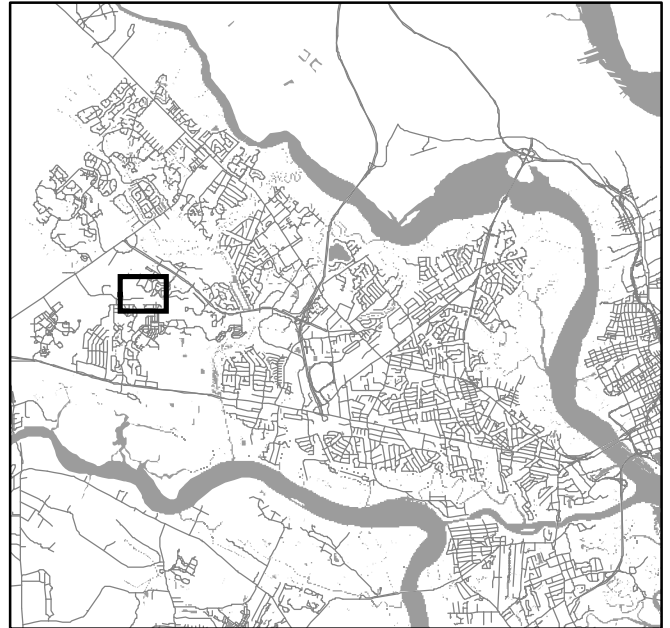
approx. 4.36 ac.

Request rezoning from Single-Family Residential (SR-1)
& Diverse Residential (DR-6) to General Office (GO).

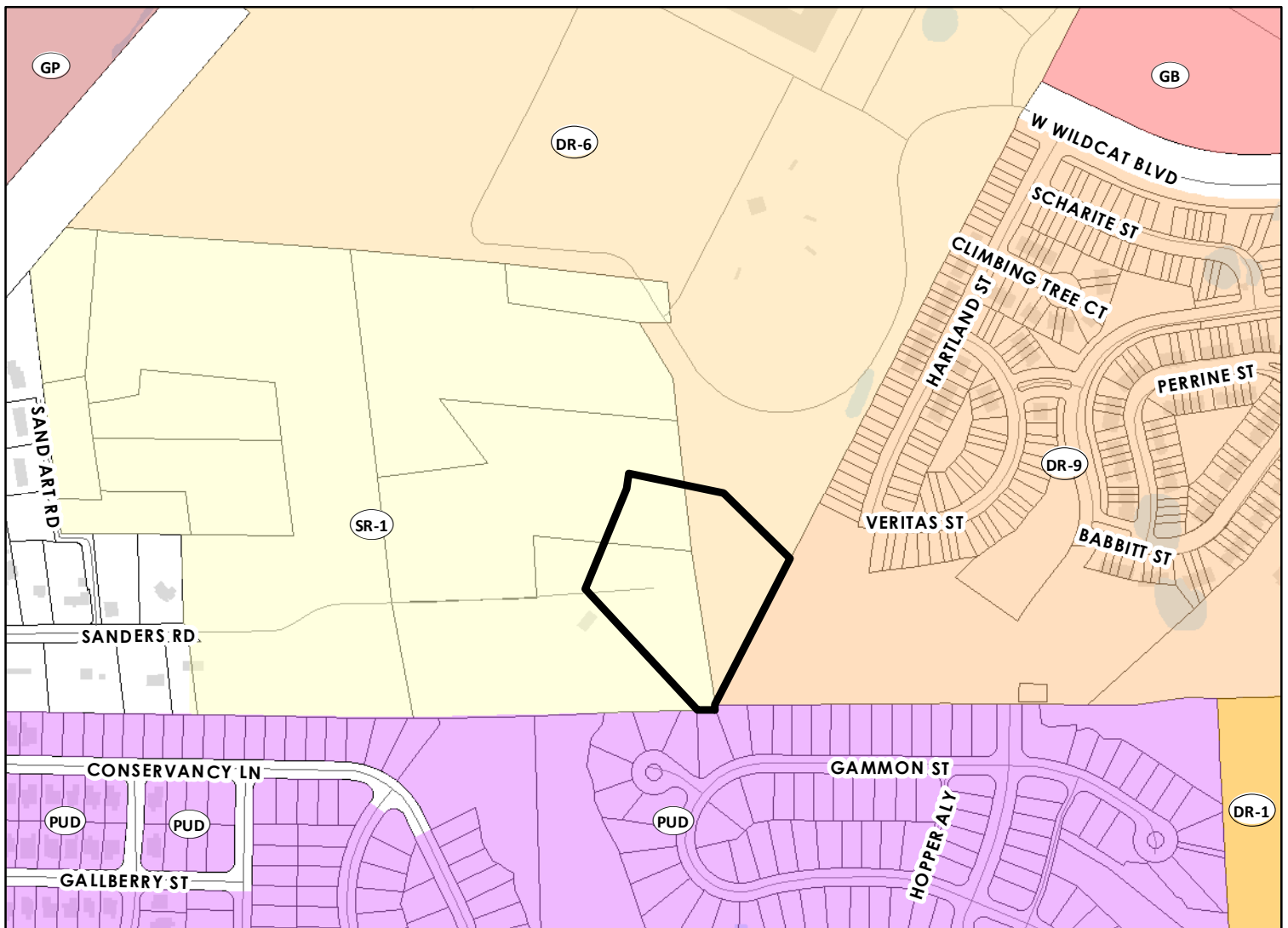
Owner: Charleston County School District

Applicant: ADC Engineering Inc

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

June 21, 2017

Rezoning 3:

82 Spring St (Cannonborough-Elliottborough - Peninsula)

BACKGROUND

The applicant is requesting rezoning from Diverse Residential (DR-2F) to Limited Business (LB) on a portion of a property located on the north side of Spring Street between Percy Street and Ashe Street. The property is surrounded by Diverse Residential (DR-2F) and Limited Business (LB) zonings. Surrounding uses include single-family homes, multi-family homes, offices, retail and accommodations (short-term rentals). The surrounding area is in the Short Term Rental Overlay.

The subject property fronts on Spring Street but part of the property (to be excluded from the rezoning) contains a residential unit in the interior of the block. All of the surrounding properties fronting the street in this area of Spring Street are zoned LB.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends maintaining the character of established areas in the City when considering the rezoning of property. The subject property is designated in the Century V Plan as **Urban** which is characterized by a mix of uses and higher residential densities. The area of the peninsula surrounding the subject property consists of a wide variety of urban uses and building types. Given the plan designation and existing uses and zoning, the proposed LB zoning is appropriate for this site.

STAFF RECOMMENDATION

APPROVAL

Rezoning 3

82 Spring St
(Cannonborough-Elliottborough - Peninsula)

TMS# 4600803176 (a portion)

approx. 0.09 ac.

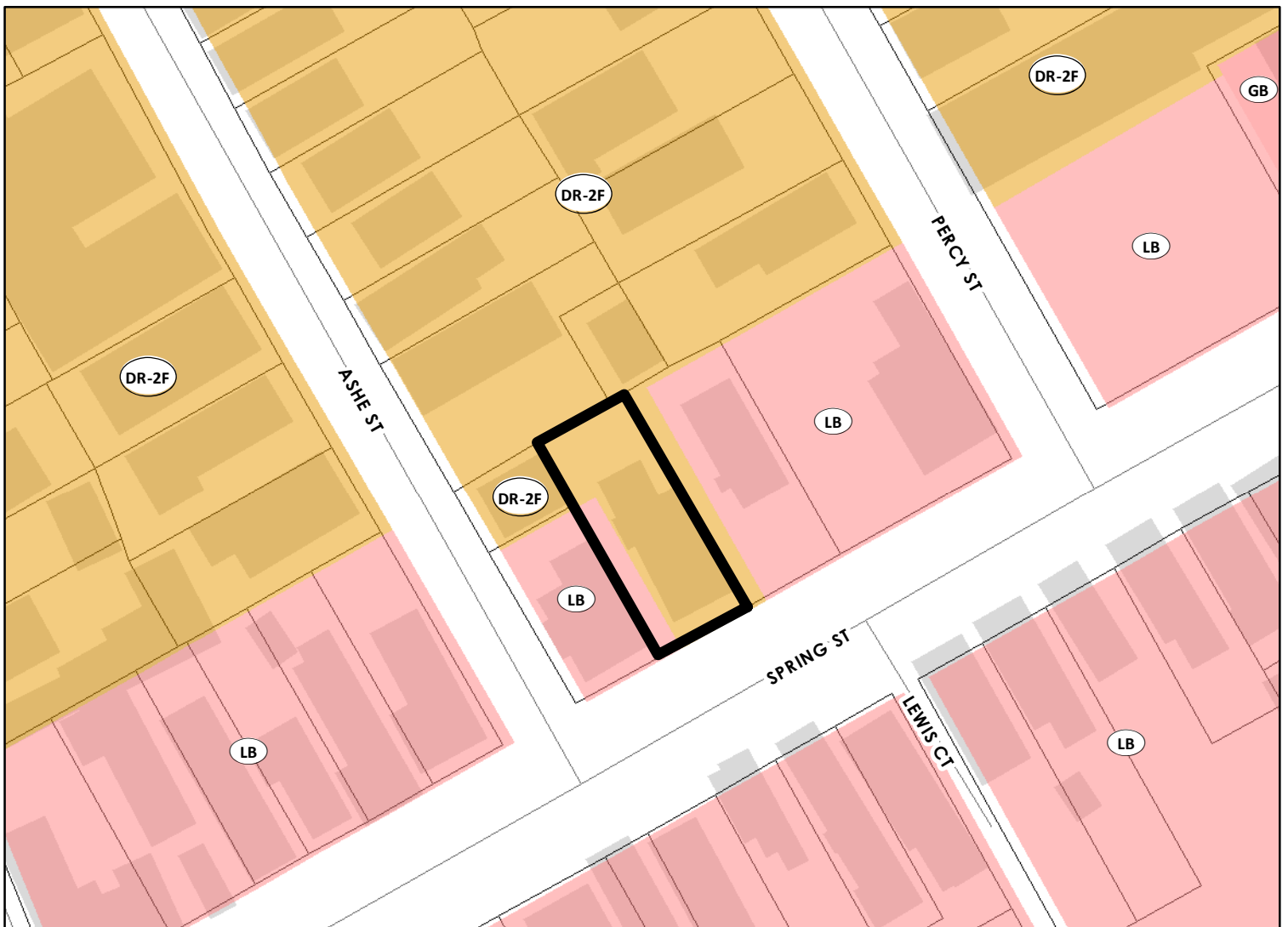
Request rezoning from Diverse Residential (DR-2F)
to Limited Business (LB).

Owner/Applicant: William K. Turner

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

June 21, 2017

Rezoning 4 :

1809 Beechwood Rd (West Ashley)

BACKGROUND

The applicant is requesting rezoning from Single-Family Residential (SR-1) to Single-Family Residential (SR-6) on a property located on the south side of Beechwood Road near Ashley River Road. The property is surrounded by Single-Family Residential (SR-1), Diverse Residential (DR-4-Elderly Housing, DR-3-Mobile Home, DR-12), General Business (GB) and Limited Business (LB) zonings. Surrounding uses include single-family homes, assisted living, multi-family homes, mobile home park, office and retail.

The subject property is completely surrounded by a wide variety of uses that are not typical of a single-family area. There are three existing single-family homes (including the subject property) on large lots in the immediate area.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends maintaining the character of established areas in the City when considering the rezoning of property. Because the subject property is close to a commercial section of Ashley River Road it is designated in the Century V Plan as **Highway District**. The Highway district which primarily contains more automobile intensive commercial uses but often contains a variety of uses that may not be compatible with each other. The requested SR-6 zoning is only an intensification of the residential density where commercial uses might be considered. The rezoning request is appropriate for this area.

STAFF RECOMMENDATION

APPROVAL

Rezoning 4

1809 Beechwood Rd (West Ashley)

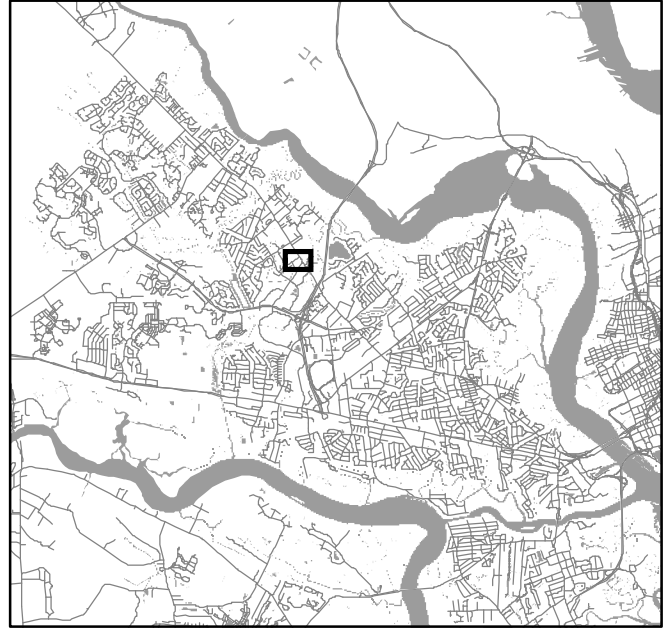
TMS# 3540700005

0.89 ac.

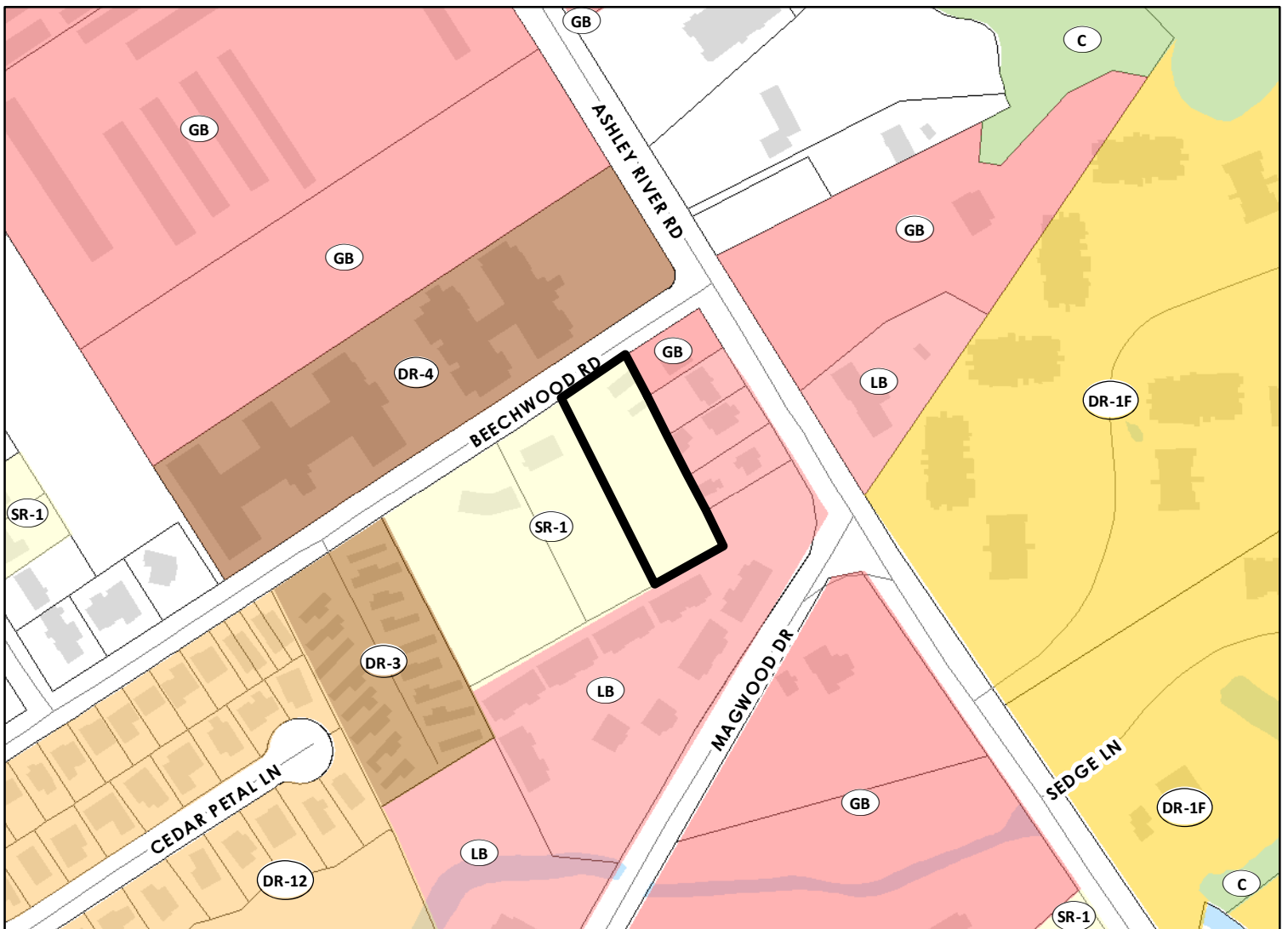
Request rezoning from Single-Family Residential (SR-1)
to Single-Family Residential (SR-6).

Owner/Applicant: Matt Chambers

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

June 21, 2017

Rezoning 5 :

575, 577 & 579 Meeting St and Walnut St (Peninsula)

BACKGROUND

The applicant is requesting rezoning of four properties from General Business (GB) and Light Industrial (LI) to Mixed-Use/Workforce Housing (MU-2/WH). The subject area, located on the west side of Meeting Street between Huger Street and E Street, is surrounded by GB zoning, Diverse Residential (DR-2) zoning, Mixed-Use/Workforce Housing (MU-2/WH) zoning and LI zoning. The subject properties are surrounded by a diverse set of existing uses. The Grant Homes, owned by the Charleston Housing Authority are located immediately to the north as well as the adjacent, less-historic, townhomes. Other nearby uses include multi-family housing, vacant commercial buildings, light manufacturing and warehouses (mainly along Meeting Street). One80 Place, an organization serving the homeless and transitional in Charleston, is located immediately to the south. The subject properties are currently occupied by four industrial buildings containing light manufacturing and warehousing uses.

The general area surrounding the subject property has the potential for well-designed, more intensive infill development that could contribute to the revitalization of this part of the peninsula and the City overall. The area has the potential to be developed with uses that provide many services to the City including neighborhood services, places of employment and affordable housing. Access to the US Highway 17, Interstate 26, major peninsula streets, public transit stops and future potential rail stations make this area ideal for higher residential densities and compatible uses.

The Mixed Use/Workforce Housing zoning districts were created to encourage mixed use development with diverse housing options in appropriate areas of the City. The district provides incentives to encourage a mixture of uses and promotes a mixture of housing opportunities within a single project through rental and homeowner programs aimed at specific income levels. The permitted uses in MU-2/WH are the same as those allowed in General Business zoning.

CENTURY V CITY PLAN RECOMMENDATIONS

The Century V Plan notes that this area is adjacent to the region's key mass transit route as well as the central vehicle artery of I-26. More diversity of uses and housing density is, therefore, appropriate and encouraged in such a location. The Century V Plan indicates the area in which the subject property lies to be **Urban Core** and suitable for higher residential densities and mixture of uses. Urban-format buildings in this area will be a catalyst for future development in the area. Given the context of existing structures, existing uses, and proximity to existing and potential transportation nodes, the MU-2/WH zoning is recommended for this area.

STAFF RECOMMENDATION

APPROVAL

Rezoning 5

575, 577 & 579 Meeting St and Walnut St (Peninsula)

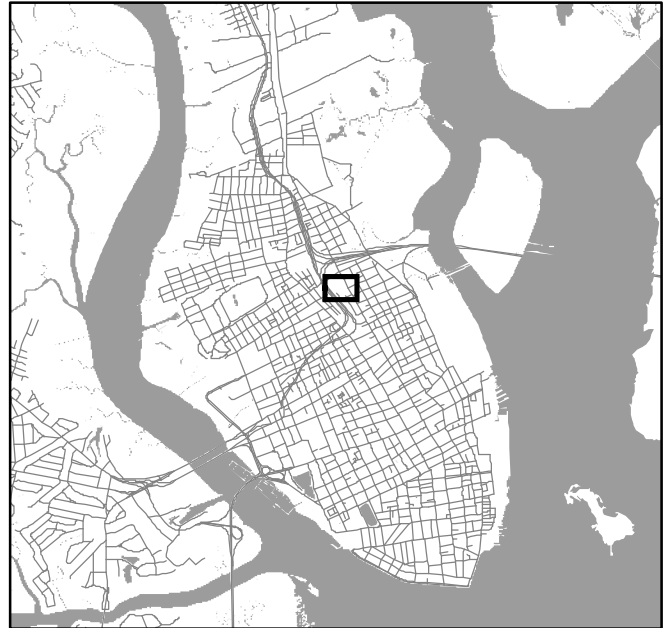
TMS# 4631604021, 020, 019 & 034

1.33 ac.

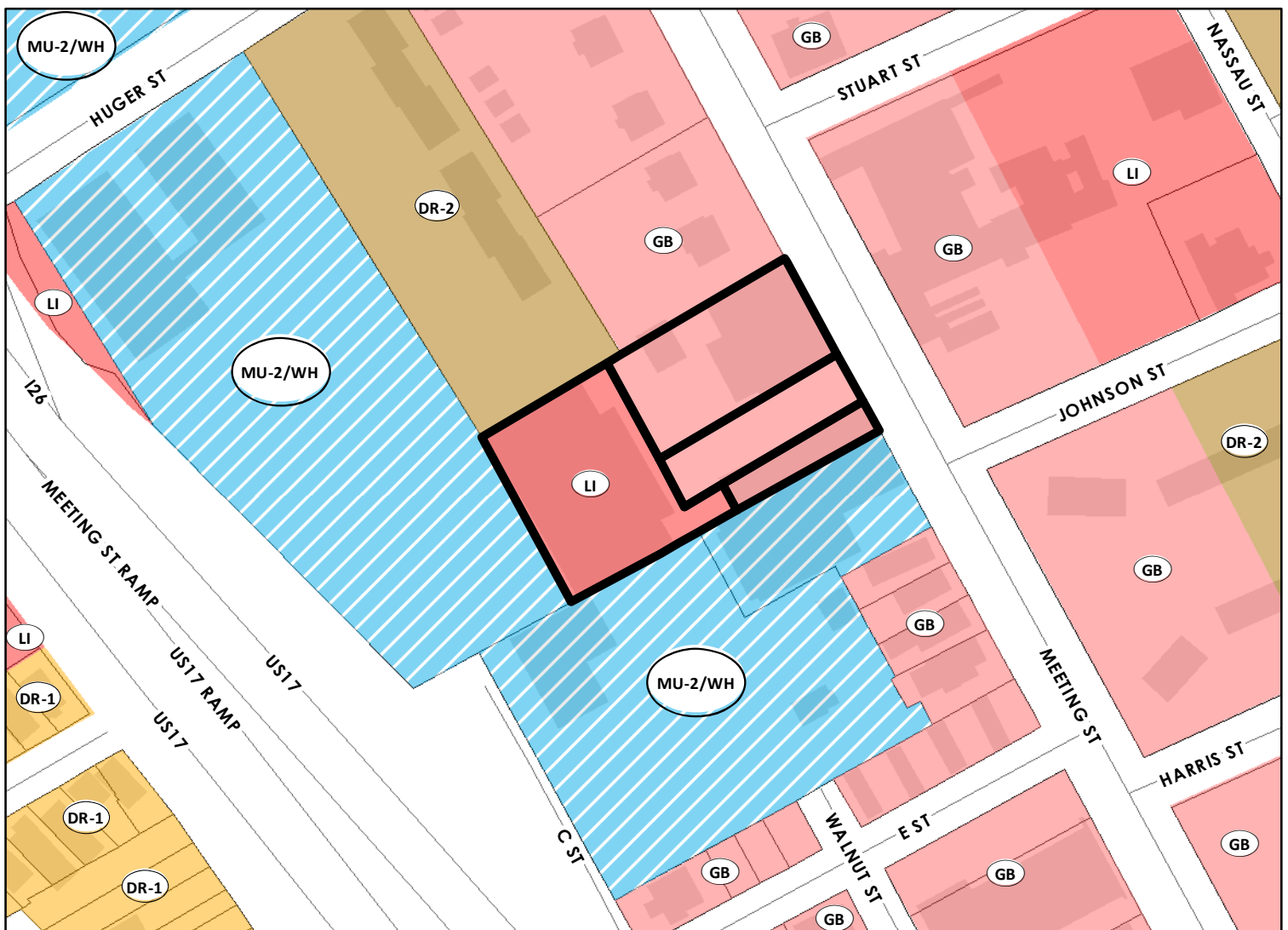
Request rezoning from General Business (GB)
and Light Industrial (LI) to
Mixed-Use/Workforce Housing (MU-2/WH).

Owner: Grant Realty Corporation
Applicant: Randolph W. Cooper, Esq

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

June 21, 2017

Rezoning 7 :

Line St (Peninsula)

BACKGROUND

The applicant is requesting rezoning of the property from Light Industrial (LI) Mixed-Use/Workforce Housing (MU-2/WH). The area to be rezoned is being conveyed from Norfolk Southern Rail Co. to a new owner and incorporated into new development. The subject property is located on the north side of Line Street between King Street and Meeting Street and adjacent to the ramp from the Septima Clark Parkway onto Interstate 26. The property is a potential urban infill development site surrounded by Light Industrial (LI) zoning, Mixed-Use/Workforce Housing zoning and General Business (GB) zoning. Much of this urban block has already been rezoned to MU-2/WH including a very recent rezoning request just on the other side of the railroad tracks.

Surrounding uses vary widely as there are a blend of historic and modern uses and buildings in the immediate area. Existing surrounding uses include the adjacent semi-abandoned railroad, mini-storage, the Post and Courier offices and presses, restaurants, single and multi-family homes, surface parking lots and large and small vacant lots. The new mixed-use Post and Courier building is under construction across the street. The property contains a historic brick storage building previously associated with the adjacent railroad corridor.

The Mixed-Use/Workforce Housing (MU-2/WH) zoning district allows for a mix of uses that incorporates housing opportunities for persons of varying means and incomes, along with complementary nonresidential uses. The permitted uses in MU-2/WH are the same as those allowed in GB.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** encourages appropriate infill development within already urbanized areas. The Century V Plan map indicates the subject properties are within an area designated as **Urban Core**. The Urban Core is the densest, most mixed-use portion of the City generally comprised of the central business district. The area of the peninsula surrounding the subject properties consists of a wide variety of appropriate urban uses and building types thus the MU-2/WH zone district is appropriate for these properties.

STAFF RECOMMENDATION

APPROVAL

Rezoning 7

Line St (Peninsula)

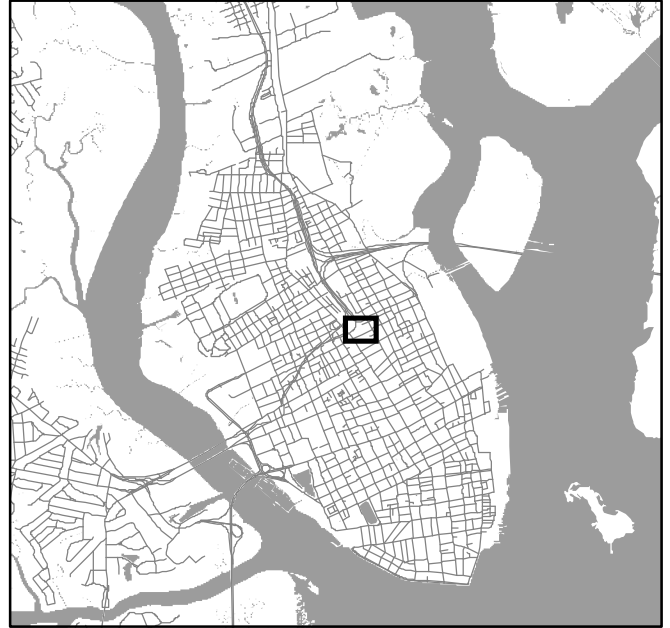
TMS# 4590503136

0.517 ac.

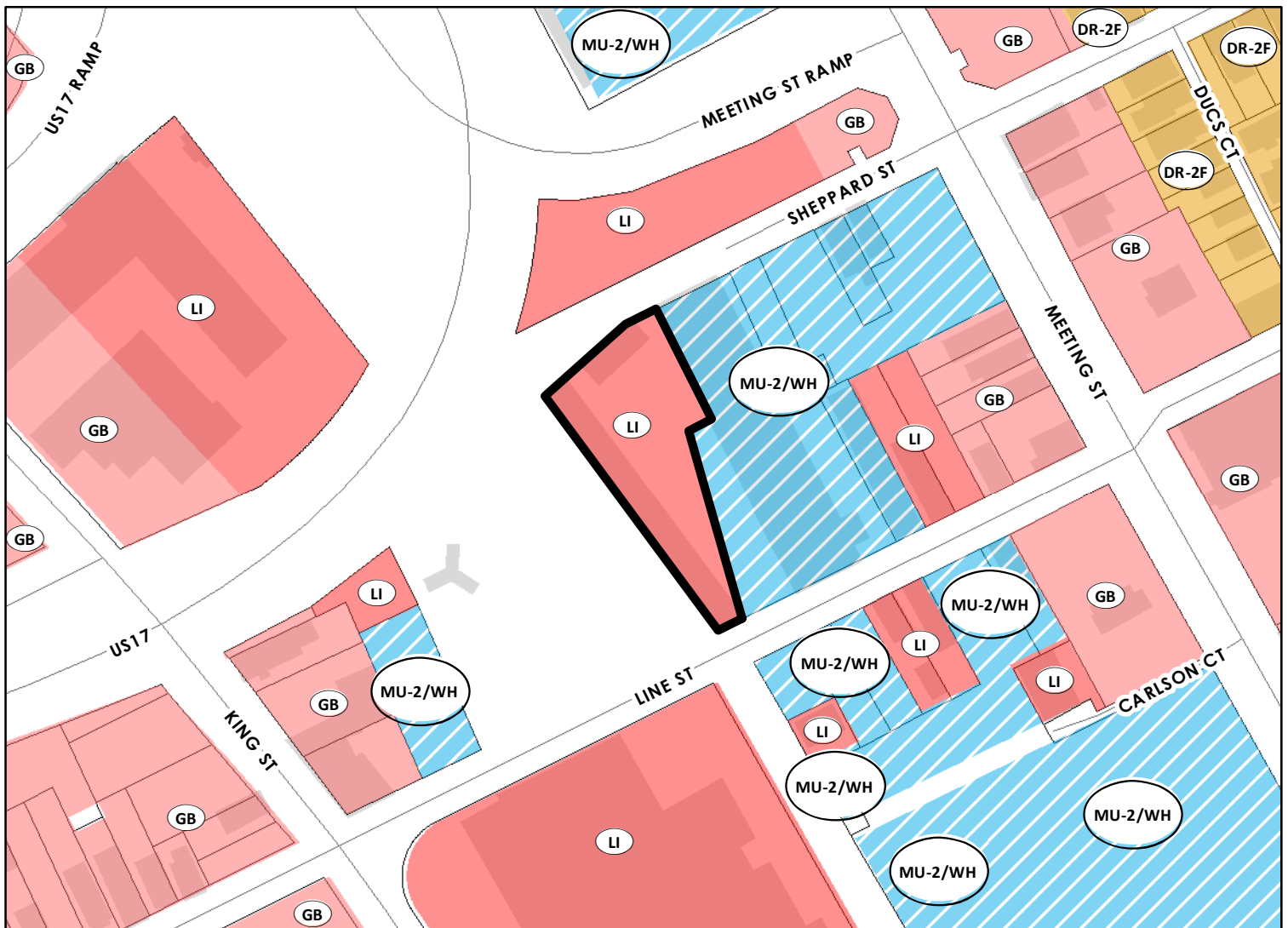
Request rezoning from Light Industrial (LI)
to Mixed-Use/Work Force Housing (MU-2/WH).

Owner: Norfolk Southern Rail
Applicant: LS3P

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

June 21, 2017

Rezoning 8 :

52 Line St (Peninsula)

BACKGROUND

The applicant is requesting rezoning of the property from the 55/30 Old City Height District to the 100/30 Old City Height District. The area to be rezoned is being conveyed from Norfolk Southern Rail Co. to a new owner and incorporated into new development. The subject property is located on the north side of Line Street between King Street and Meeting Street and adjacent to the ramp from the Septima Clark Parkway onto Interstate 26. The property is a potential urban infill development site surrounded by Light Industrial (LI) zoning, Mixed-Use/Workforce Housing zoning and General Business (GB) zoning. Much of this urban block has already been rezoned to MU-2/WH including a very recent rezoning request just on the other side of the railroad tracks.

Surrounding uses vary widely as there are a blend of historic and modern uses and buildings in the immediate area. Existing surrounding uses include the adjacent semi-abandoned railroad, mini-storage, the Post and Courier offices and presses, restaurants, single and multi-family homes, surface parking lots and large and small vacant lots. The new mixed-use Post and Courier building is under construction across the street. The subject property is mostly vacant but has a "stealth" communications tower on it.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** encourages appropriate infill development within already urbanized areas. The Century V Plan map indicates the subject properties are within an area designated as **Urban Core**. The Urban Core is the densest, most mixed-use portion of the City generally comprised of the central business district. This area is appropriate for taller buildings, but the City is currently undertaking a wholesale change to the height districts and the process is nearly complete. Because the process is nearly complete, the City recommends disapproval of any changes to the current height districts.

STAFF RECOMMENDATION

DISAPPROVAL

Rezoning 8

52 Line St (Peninsula)

Unzoned Right-of-Way

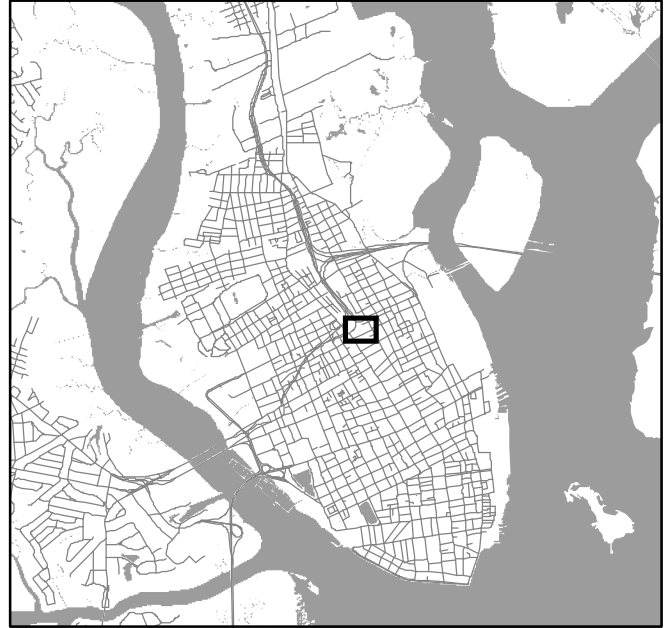
approx. 0.90 ac.

Request rezoning from the 55/30 Old City Height District
to the 100/30 Old City Height District.

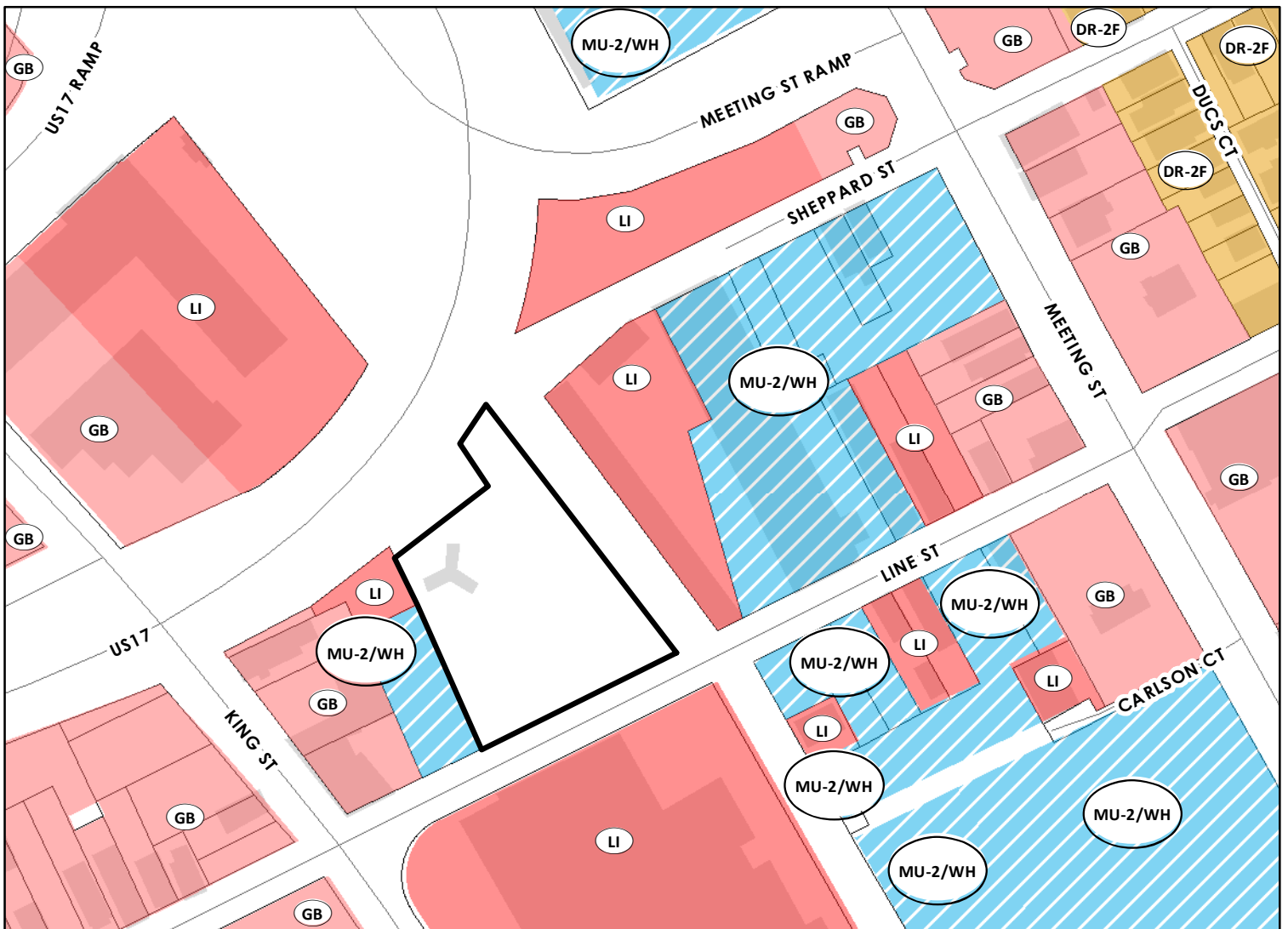
Owner: Norfolk Southern Rail

Applicant: LS3P

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

June 21, 2017

Rezoning 9 :

Line St (Peninsula)

BACKGROUND

The applicant is requesting rezoning of the property from the 55/30 Old City Height District to the 100/30 Old City Height District. The area to be rezoned is being conveyed from Norfolk Southern Rail Co. to a new owner and incorporated into new development. The subject property is located on the north side of Line Street between King Street and Meeting Street and adjacent to the ramp from the Septima Clark Parkway onto Interstate 26. The property is a potential urban infill development site surrounded by Light Industrial (LI) zoning, Mixed-Use/Workforce Housing zoning and General Business (GB) zoning. Much of this urban block has already been rezoned to MU-2/WH including a very recent rezoning request just on the other side of the railroad tracks.

Surrounding uses vary widely as there are a blend of historic and modern uses and buildings in the immediate area. Existing surrounding uses include the adjacent semi-abandoned railroad, mini-storage, the Post and Courier offices and presses, restaurants, single and multi-family homes, surface parking lots and large and small vacant lots. The new mixed-use Post and Courier building is under construction across the street. The property contains a historic brick storage building previously associated with the adjacent railroad corridor.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** encourages appropriate infill development within already urbanized areas. The Century V Plan map indicates the subject properties are within an area designated as **Urban Core**. The Urban Core is the densest, most mixed-use portion of the City generally comprised of the central business district. This area is appropriate for taller buildings, but the City is currently undertaking a wholesale change to the height districts and the process is nearly complete. Because the process is nearly complete, the City recommends disapproval of any changes to the current height districts.

STAFF RECOMMENDATION

DISAPPROVAL

Rezoning 9

Line St (Peninsula)

TMS# 4590503136

0.517 ac.

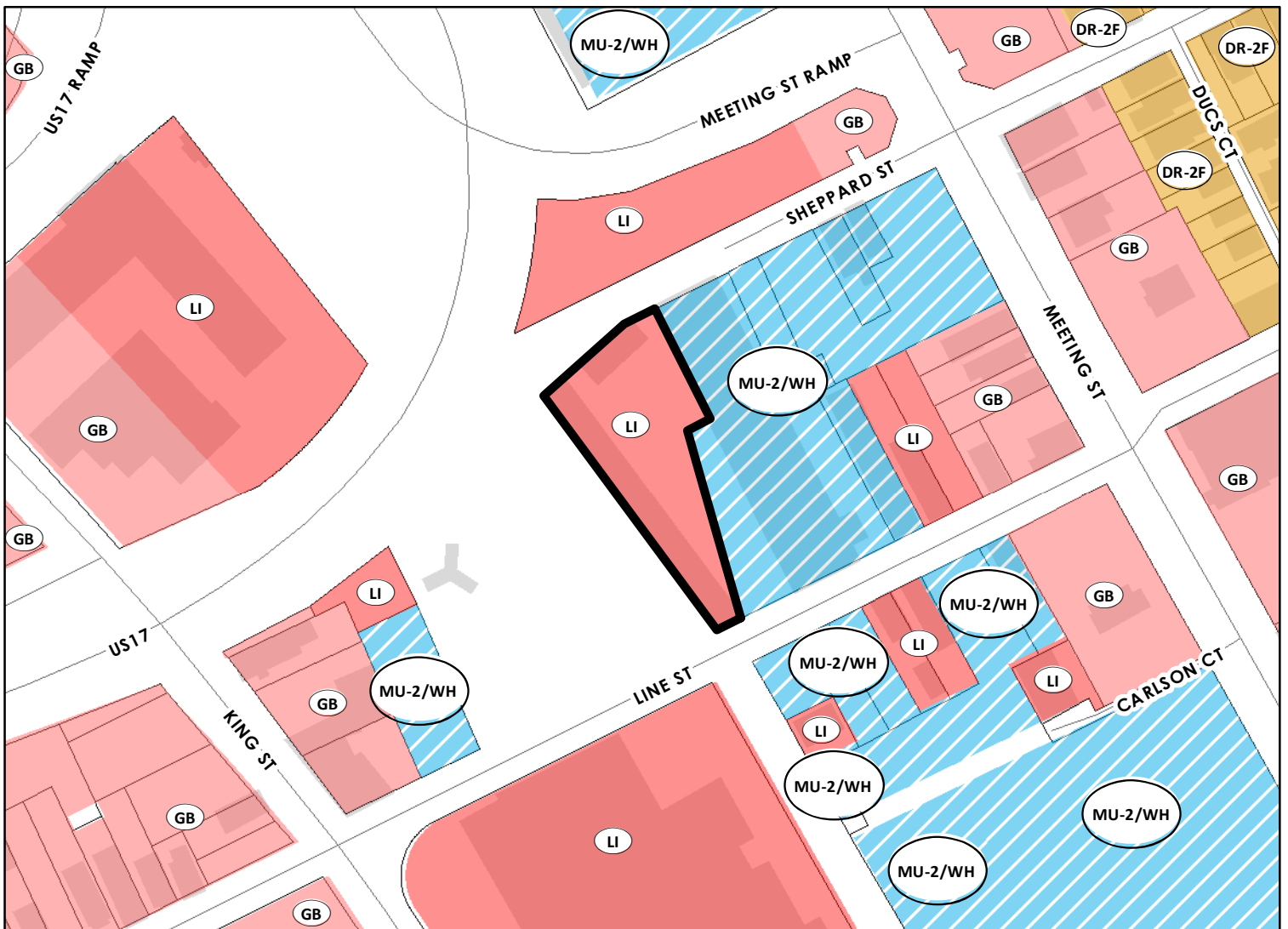
Request rezoning from the 55/30 Old City Height District
to the 100/30 Old City Height District.

Owner: Norfolk Southern Rail
Applicant: LS3P

Area



Location



**CITY OF CHARLESTON
PLANNING COMMISSION**

June 21, 2017

Subdivision 2:

**Governor's Cay, Phase 5
(Forrest Drive – Cainhoy)**

BACKGROUND

The applicant is requesting subdivision concept plan approval for 6.7 acres on Forrest Drive in Cainhoy, adjacent to the Governor's Cay PUD. This project consists of the creation of a new right-of-way to serve 12 parcels for single-family detached homes as well as driveways to serve 10 multi-family dwelling units. The proposed right-of-way is typical for Local Single-Family Residential Access Streets and the new parcels conform to the subdivision requirements for new parcels in the DR-9 zone district. There is critical area adjacent to this site, which is not proposed to be impacted. There are no grand trees on the site. The City's Technical Review Committee (TRC) has reviewed the conceptual subdivision for compliance with City standards.

The property is zoned Diverse Residential (DR-9), which allows single-family and multi-family residential uses and allows 9 dwelling units per net acre. The surrounding existing uses include primarily single-family residential, multi-family residential, and commercial uses.

STAFF RECOMMENDATION

APPROVAL WITH CONDITIONS

Subdivision 2

Governors Cay, Phase 5 (Forrest Dr – Cainhoy)

TMS# 2710002150

6.704 ac.

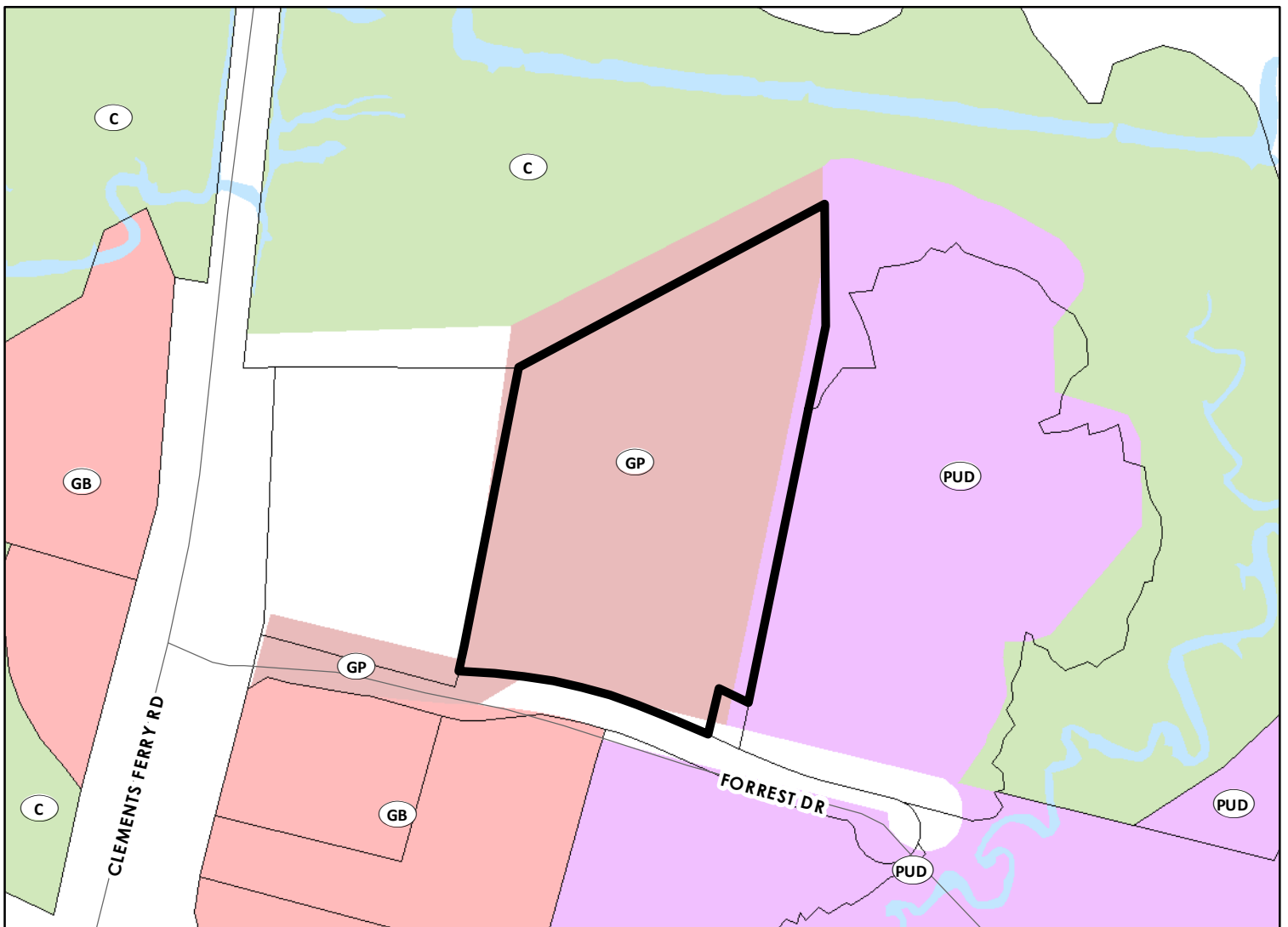
22 lots. Request subdivision concept plan approval.
Zoned Diverse Residential (DR-9).

Owner: Calatlantic Group LLC
Applicant: Stantec

Area



Location



**CITY OF CHARLESTON
PLANNING COMMISSION**

June 21, 2017

Subdivision 3:

**Farr Street Homes
(Daniel Island)**

BACKGROUND

The applicant is requesting subdivision concept plan approval for 3.7 acres on Farr Street on Daniel Island. This project consists of the creation of a new alley right-of-way to serve 10 parcels for single-family attached homes as well as 3 parcels for single-family detached homes to be served by Farr Street, which is currently in the review process. The proposed right-of-way is typical for Rear Alleys on Daniel Island and the new parcels conform to the subdivision requirements for new parcels in the DI-R zone district. There is critical area adjacent to this site, which is not proposed to be impacted. There are grand trees on the site, impacts to which would require approval by the Board of Zoning Appeals – Site Design. The City's Technical Review Committee (TRC) has reviewed the conceptual subdivision for compliance with City standards.

The property is zoned Daniel Island Residential (DI-R), which allows single-family residential uses. The surrounding existing uses include primarily single-family residential and multi-family residential uses.

STAFF RECOMMENDATION

APPROVAL WITH CONDITIONS

Subdivision 3

Farr Street Homes (Daniel Island)

TMS# 2750000182

3.74 ac.

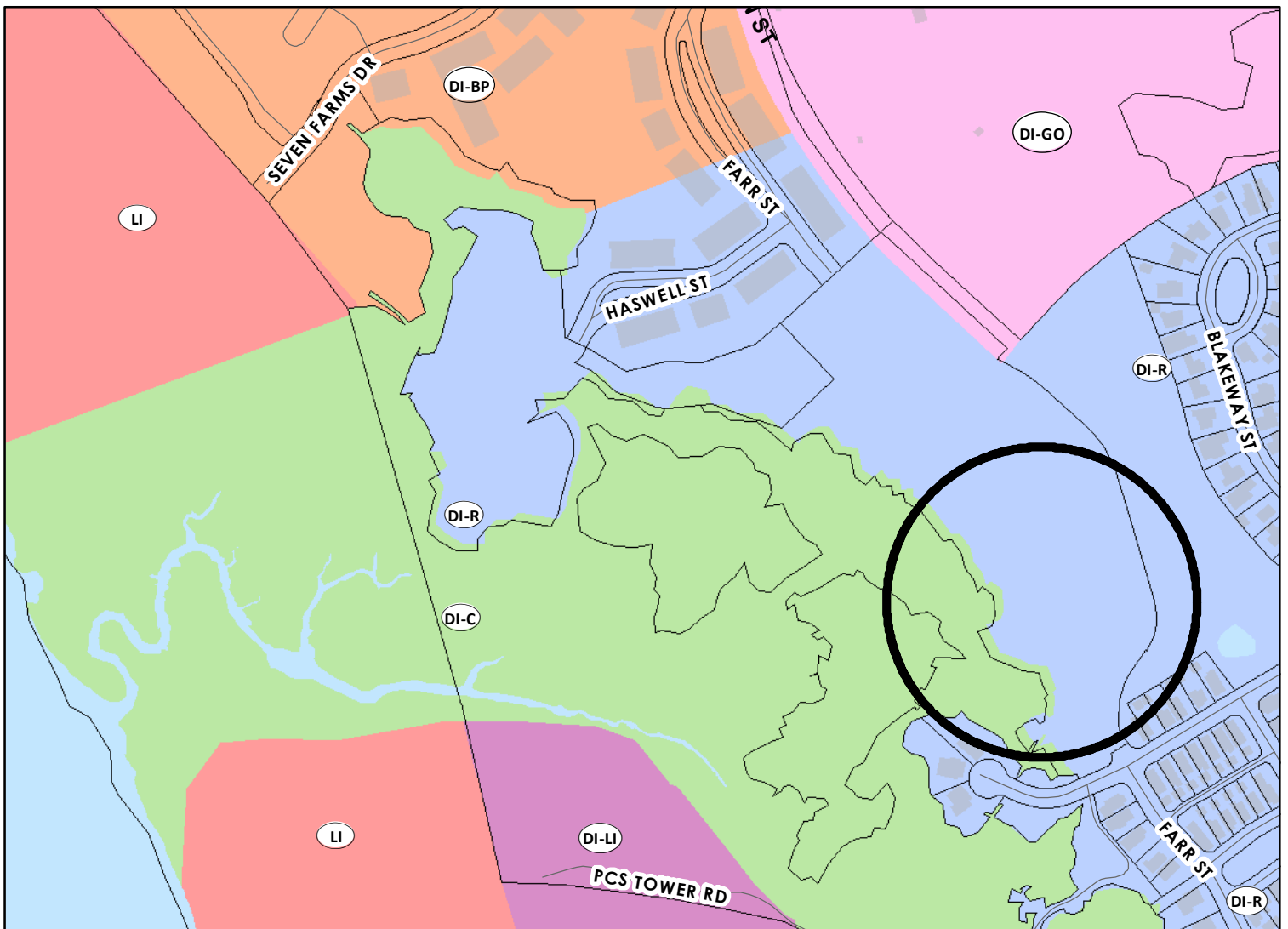
13 lots. Request subdivision concept plan approval.
Zoned Daniel Island Residential (DI-R).

Owner: Daniel Island Associates, LLC
Applicant: Thomas & Hutton Engineering Co.

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

June 21, 2017

Zoning 1 :

**3037 Maybank Highway and adjacent properties
on Maybank Hwy and Zelasko Dr
(Johns Island)**

BACKGROUND

The subject properties are pending annexation into the City of Charleston and the property owners are requesting zonings of Business Park (BP) and General Office (GO). The properties are zoned Maybank Highway Corridor Overlay District (OD-MHC) in Charleston County. The surrounding zoning consists entirely of Maybank Highway Corridor Overlay District (OD-MHC) in Charleston County. The subject properties are surrounded by single-family homes on small and large acreage lot, vacant residential and commercial lots existing commercial/industrial uses. The subject properties contain single-family homes and commercial uses.

This area of Johns Island is unique in that it contains many traditional rural uses on a variety of lot sizes, typical of more rural areas. The area is surrounded by more conventional suburban residential and commercial developments.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends maintaining the character of established areas in the City when considering the zoning of property. The subject property is designated in the Century V Plan as **Suburban** and **Urban**. Suburban districts typically are characterized by predominantly residential neighborhoods with some compatible commercial or civic uses. Urban districts have a mix of uses and higher residential densities. In this case, the area contains some existing heavy commercial uses often seen in rural areas. Meanwhile, some of the nearby areas designated as **Job Center** trended toward more conventional suburban residential development, thereby losing some potential commercial areas. Given the unique character of the area, surrounding zonings and low-impact nature of the requested zonings, the proposed GO and BO zonings are recommended.

STAFF RECOMMENDATION

APPROVAL

Zoning 1

Maybank Hwy and Zelasko Dr
(Johns Island)

TMS# 3130000071, 072, 073, 075, 231, 252 & 332

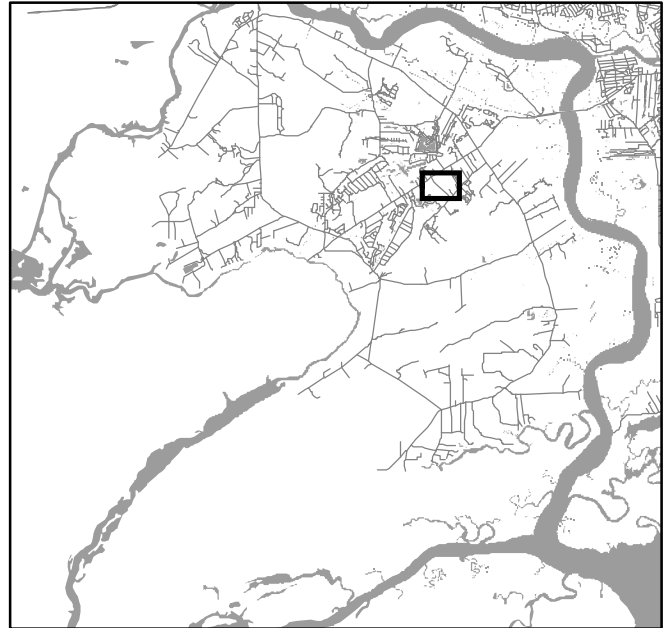
26.436 ac.

Request zoning of General Office (GO)
& Business Park (BP)

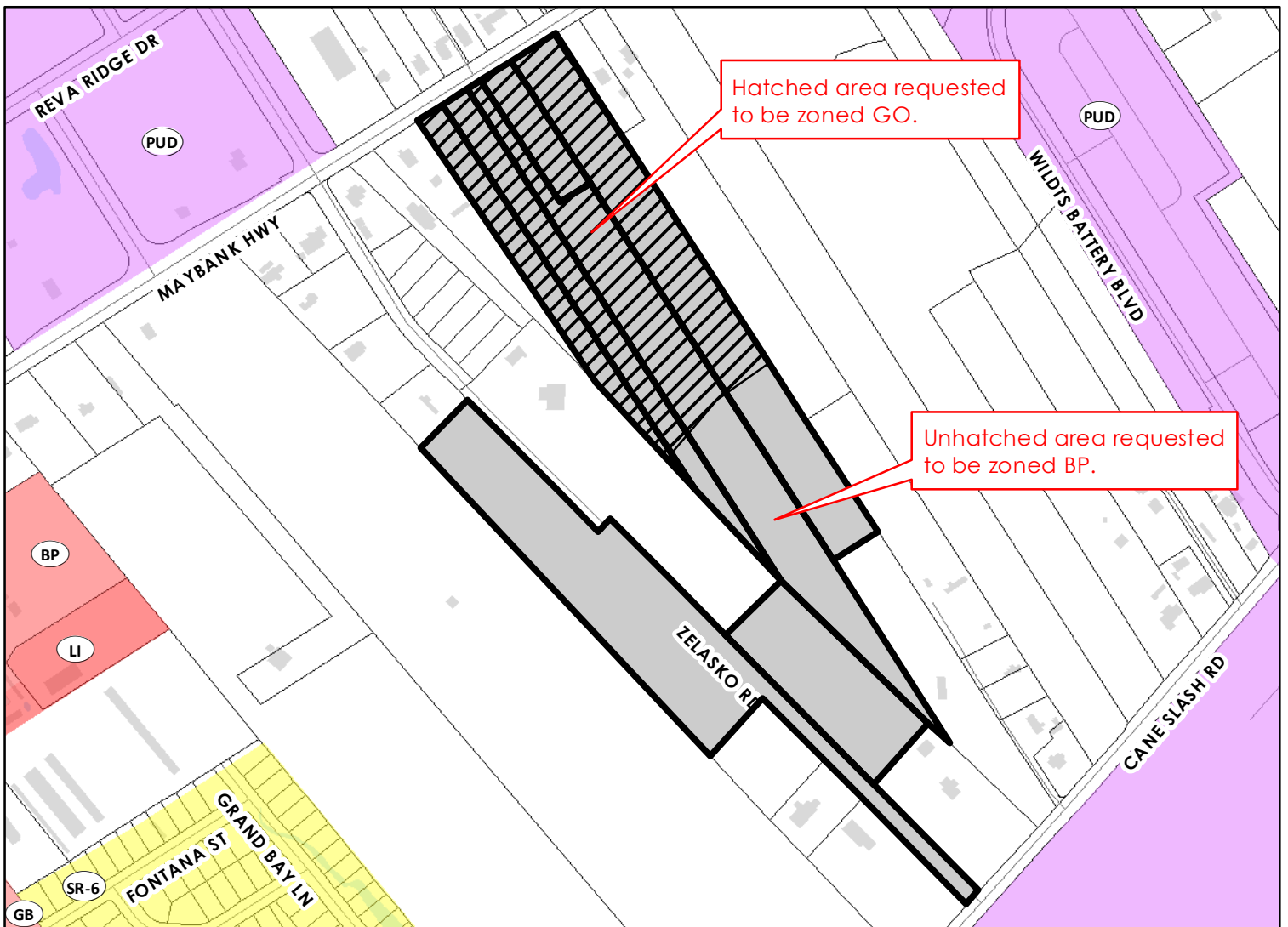
Zoned Maybank Highway Corridor Overlay District
(OD-MHC) in Charleston County

Owner: Multiple Owners

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

June 21, 2017

Zoning 2:

Bees Ferry Rd and Hughes Rd (West Ashley)

BACKGROUND

The subject property is pending annexation into the City of Charleston and the property owner is requesting a zoning of Single-Family Residential (SR-1). The property is zoned Single-Family Residential (R-4) in Charleston County. Surrounding zonings include Single-Family Residential (SR-1) zoning in the City and Industrial (I), Community Commercial (CC) and Single-Family Residential (R-4) zonings in Charleston County. The property is surrounded by single-family homes, retail, and small industrial uses. The subject property is undeveloped and mostly treed.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends maintaining the character of established areas in the City when considering the zoning of property. The subject property is designated in the Century V Plan as **Job Center** which is typically a place for company headquarters, industrial campuses or other uses that may not have a traditional block pattern. Job Centers are often in areas of transition and could contain other uses depending on the development trends in the area. In this case, the area is predominantly residential with densities ranging between 1 to 4 units per acre. Given the existing context, the proposed SR-1 zoning is appropriate for this site.

STAFF RECOMMENDATION

APPROVAL

Zoning 2

Bees Ferry & Hughes Rd
(West Ashley)

TMS# 2870000054 & 347

approx. 12.439 ac.

Request zoning of Single-Family Residential (SR-1).

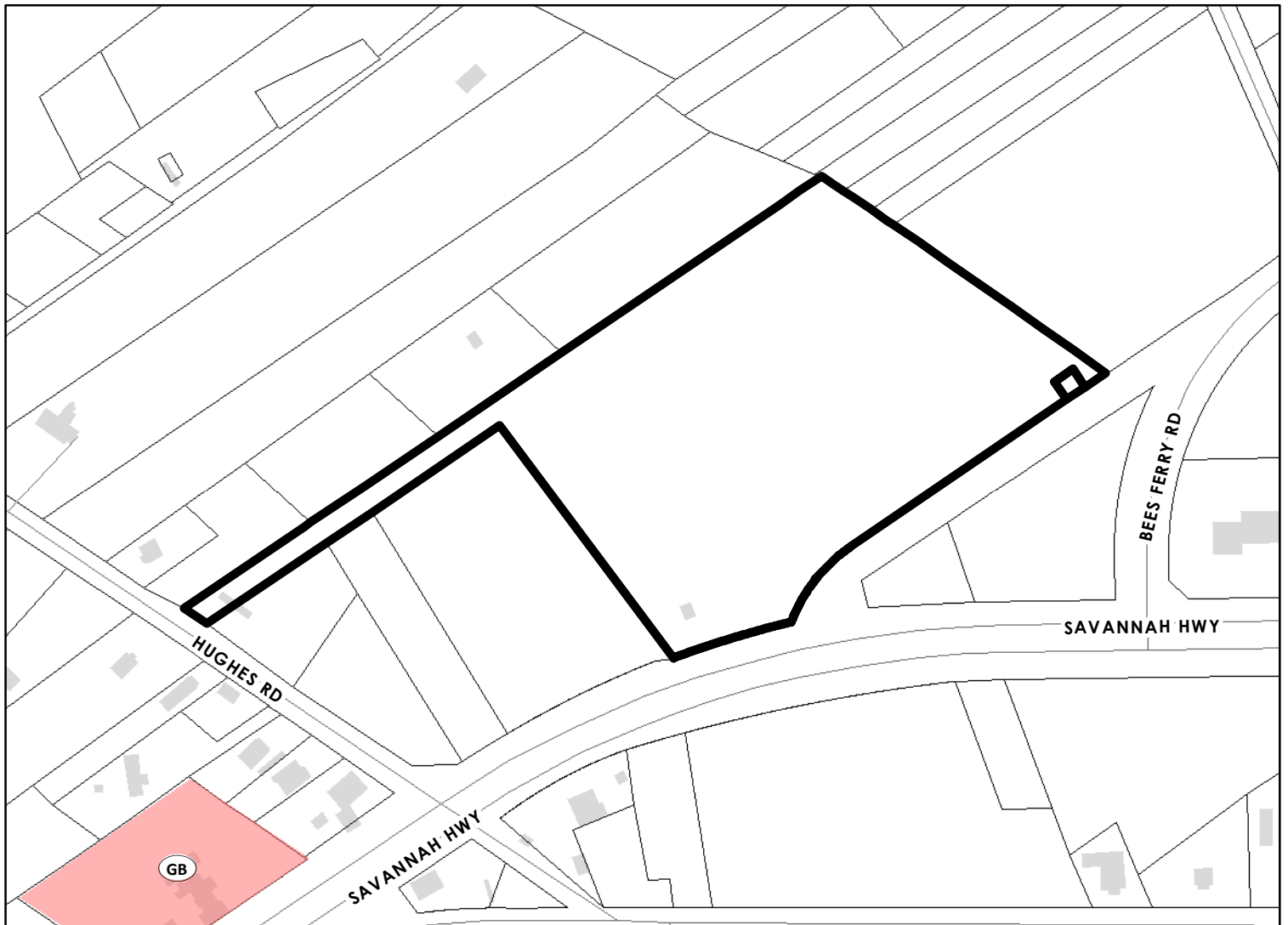
Zoned Single-Family Residential (R-4)
in Charleston County.

Owner: Heirs of Phillis Washington

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

June 21, 2017

Zoning 3 :

938 Savannah Hwy (West Ashley)

BACKGROUND

The subject property is pending annexation into the City of Charleston and the property owner is requesting a zoning of General Business. The property is zoned Saint Andrews Area Overlay District (OD-STA) in Charleston County. Surrounding zonings include General Business (GB) zoning in the City and Saint Andrews Area Overlay District (OD-STA) in Charleston County. The property is surrounded by retail, office and church uses. The subject property contains a commercial building with the most recent use being a custom framing shop.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends maintaining the character of established areas in the City when considering the zoning of property. The subject property is designated in the Century V Plan as **Suburban** which is characterized by mostly residential neighborhoods but with compatible suburban commercial uses, especially on the main highway corridors such as Savannah. Most of the properties fronting on Savannah Highway in this area of West Ashley have commercial zonings and uses. Given the existing context, the proposed GB zoning is appropriate for this site.

STAFF RECOMMENDATION

APPROVAL

Zoning 3

938 Savannah Hwy (West Ashley)

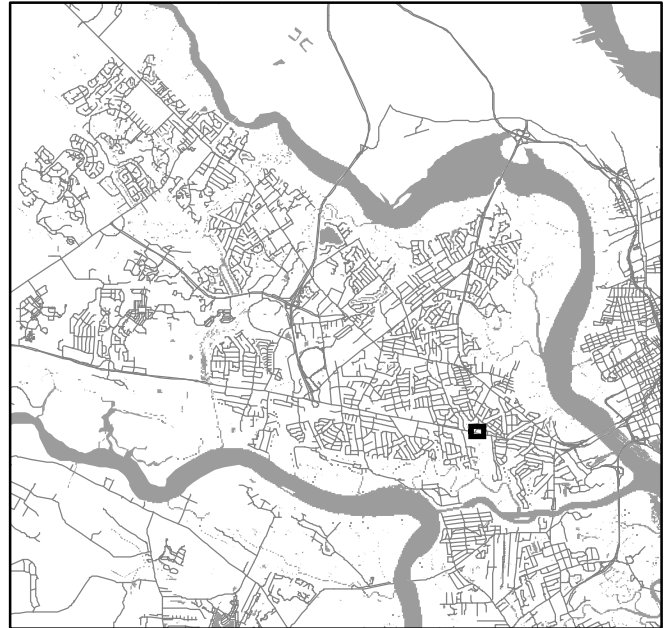
TMS# 4181300191

0.15 ac.

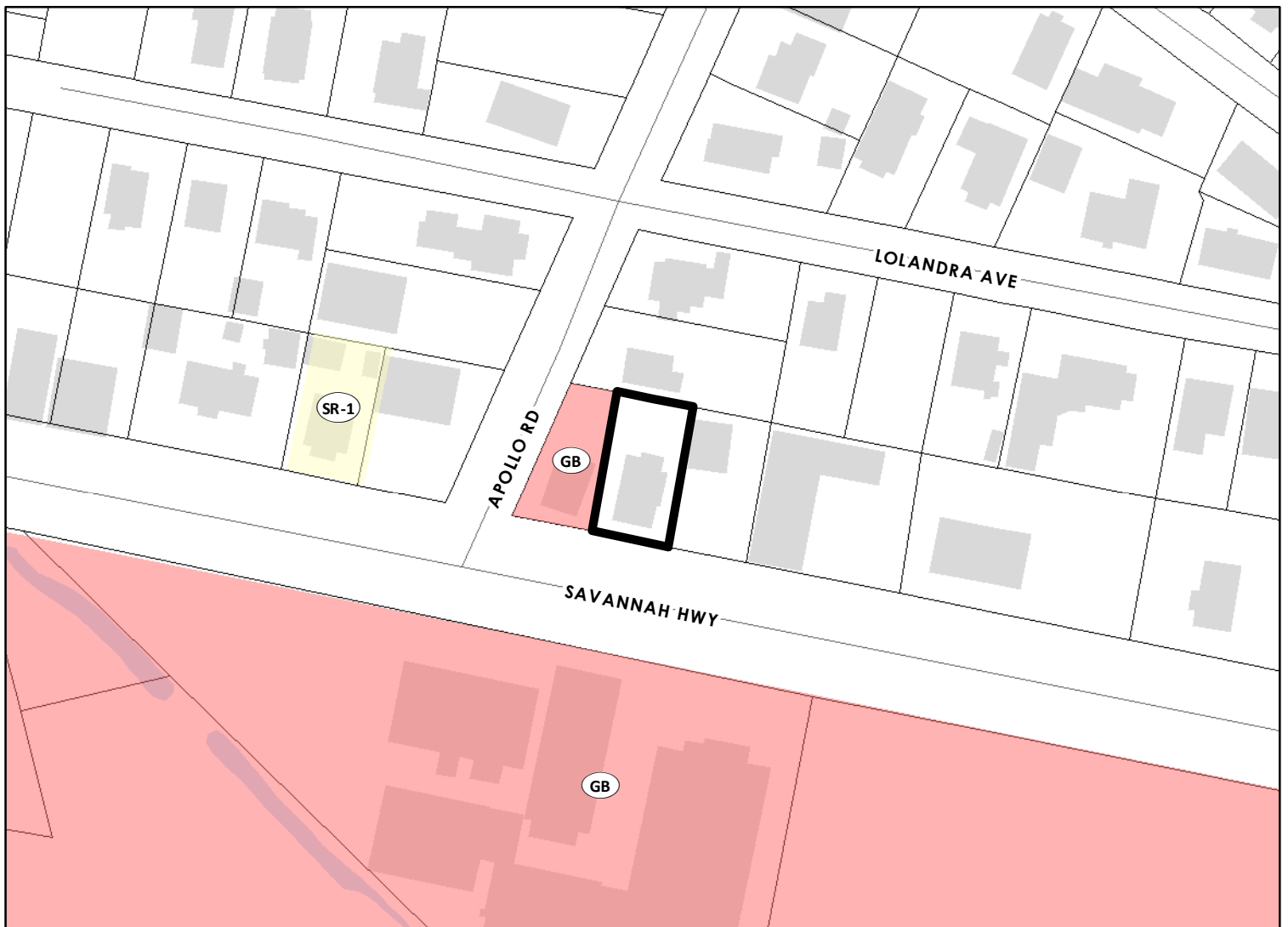
**Request zoning of General Business (GB).
Zoned Saint Andrews Area Overlay District (OD-STA)
in Charleston County.**

Owner: Debra U. Myers

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

June 21, 2017

Zoning 4 :

1642 Pierpont Ave (West Ashley)

BACKGROUND

The subject property is pending annexation into the City of Charleston and the property owner is requesting a zoning of Single-Family Residential (SR-1). The property is zoned Single-Family Residential (R-4) in Charleston County. Surrounding zonings include Single-Family Residential (SR-1) and the property is surrounded by single-family homes. The subject property is occupied by a single-family house.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends maintaining the character of established areas in the City when considering the zoning of property. The subject property is designated in the Century V Plan as **Suburban Edge** which is predominantly residential with densities ranging between 1 to 4 units per acre. Given the plan designation, the proposed SR-1 zoning is appropriate for this site.

STAFF RECOMMENDATION

APPROVAL

Zoning 4

1642 Pierpont Ave (West Ashley)

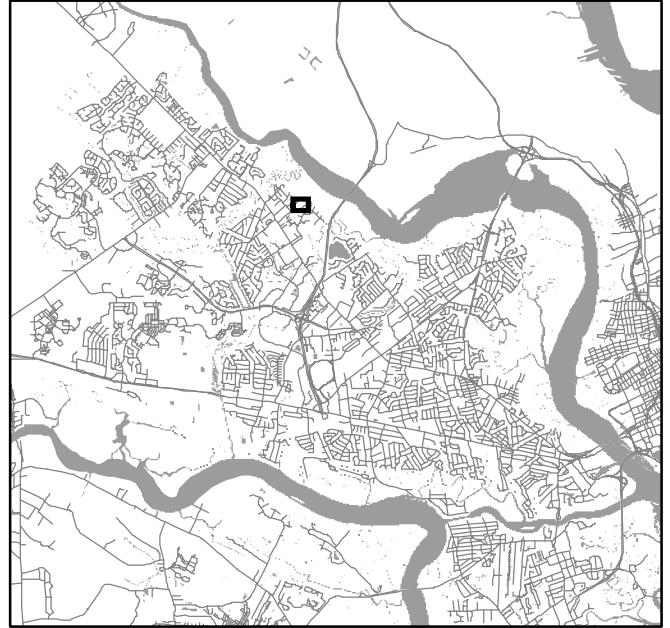
TMS# 3530300129

approx. 12.439 ac.

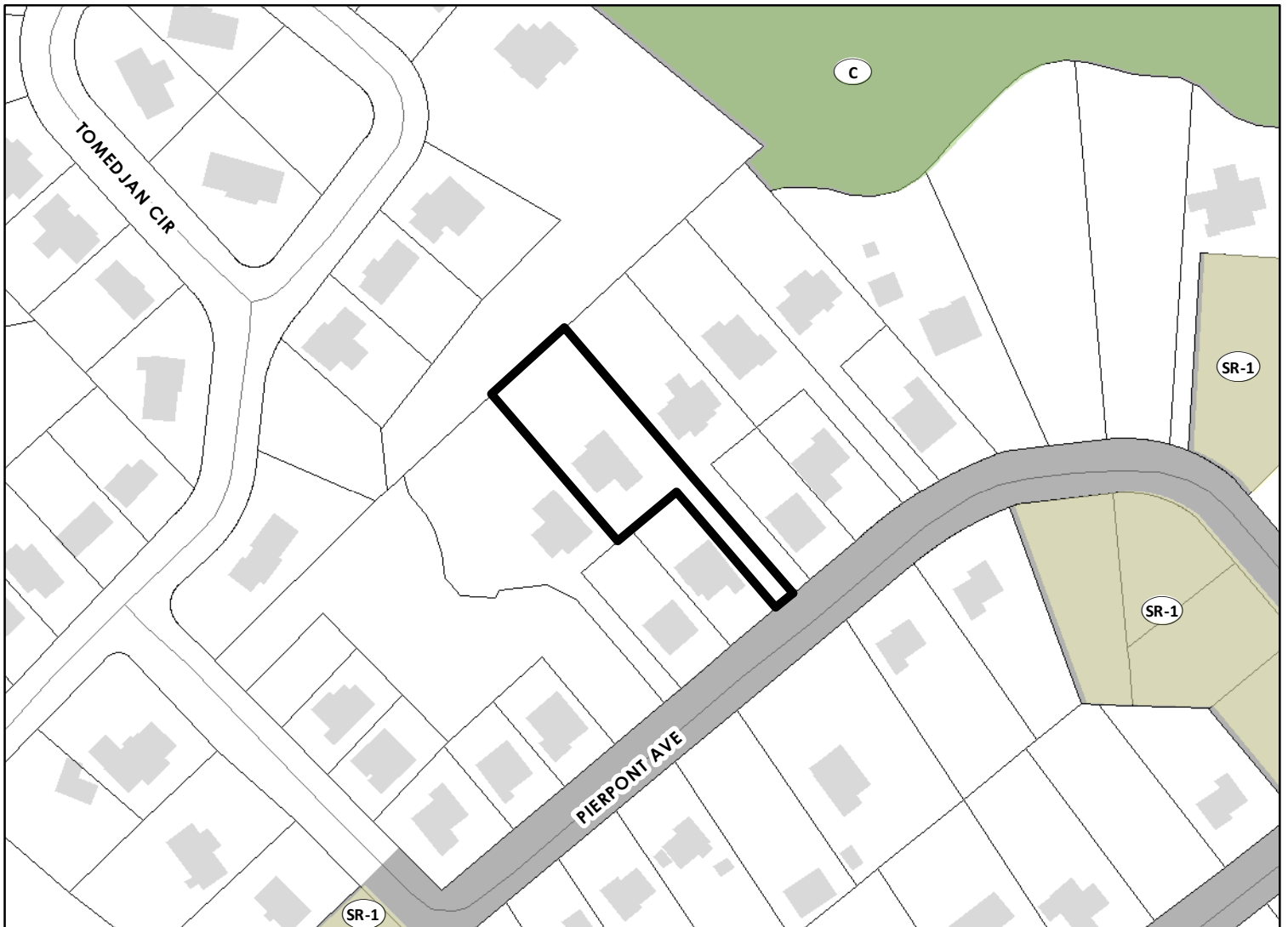
Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4)
in Charleston County.

Owner: Pamela Dugan and Dan Dugan

Area



Location



**CITY OF CHARLESTON
PLANNING COMMISSION**

June 21, 2017

Ordinance Amendment 1 :

Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-319 to add additional restrictions for off-site parking for restaurant and catering uses.

BACKGROUND

This ordinance amendment will be presented in full detail during the meeting.

STAFF RECOMMENDATION

APPROVAL

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-319 TO ADD ADDITIONAL RESTRICTIONS FOR OFF SITE PARKING FOR RESTAURANT AND CATERING USES

BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Section 54-319 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to read as follows (new text in **bold** and deleted text with **strikethrough**):

Sec. 54-319. Location of parking.

Off-street parking spaces provided pursuant to this section shall be located upon the same lot of record as the use to which they are associated. However, if the property does not provide sufficient off-street parking, parking may be provided on a properly zoned lot within 400 feet of the building or use, provided, however, that a satisfactory long-term lease **with a term** of at least 10 years is provided to and approved by the zoning administrator (such distance shall be measured from the nearest point of the parking lot to the nearest boundary of the **property lot** on which the building or use is located that the parking ~~lot~~ is said to serve), **and further provided that for restaurant and catering uses, the lot used for off site parking shall not adjoin a lot with a residential zoning designation and shall not be separated from a lot with a residential zoning designation by a right-of-way of 55 feet or less.**

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____ in the Year of Our Lord 2017, in the ____ Year of Independence of the United States of America.

By: _____
John J. Tecklenburg
Mayor, City of Charleston

Attest: _____
Vanessa Turner-Maybank
Clerk of Council

**CITY OF CHARLESTON
PLANNING COMMISSION**

June 21, 2017

Ordinance Amendment 2 :

Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 (b) (1) pertaining to the list of criteria considered for an exception to be granted by the Board of Zoning Appeals for an accommodations use within the Accommodations Overlay Zone.

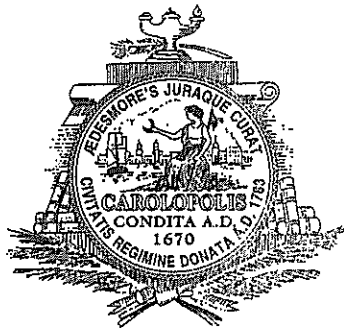
BACKGROUND

The attached ordinance was presented to City Council in 2016 and no action was taken at that time. Planning Commission discussed potential changes at the meeting of May 17, 2017. Some revisions are in progress and will be presented to the Planning Commission for discussion.

STAFF RECOMMENDATION

TO BE DISCUSSED DURING THE MEETING

41.)



Ratification
Number _____

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-220 ACCOMMODATIONS OVERLAY ZONE, BY INSERTING LANGUAGE TO PRESERVE MIXED-USE DISTRICTS: PROHIBIT THE DISPLACEMENT OF HOUSING BY ACCOMMODATIONS AND CONSIDER THE EFFECTS OF HOUSING UNITS TO BE ALTERED OR REPLACED ON THE HOUSING STOCK AND WHETHER REQUIREMENTS TO PROTECT THE AFFORDABILITY OF THE HOUSING UNITS SHOULD BE ATTACHED TO AN ACCOMMODATIONS SPECIAL EXCEPTION APPROVAL; PROHIBIT THE DISPLACEMENT OR REDUCTION OF OFFICE SPACE BY ACCOMMODATIONS TO BE LOCATED WITHIN AREAS ON THE PENINSULA DESIGNATED "A-1" ON THE ACCOMMODATIONS OVERLAY ZONING MAP AND ON STREETS WITH OFFICE USE AS A PREDOMINANT USE; PROHIBIT THE DISPLACEMENT OF MORE THAN 25 PERCENT OF GROUND FLOOR, STORE FRONT RETAIL SPACE BY ACCOMMODATIONS USES ON STREETS WITH GROUND FLOOR, STORE FRONT RETAIL AS A DOMINANT USE; PROHIBIT AN OVERCONCENTRATION OF ACCOMMODATIONS UNITS WITHIN AREAS ON THE PENINSULA DESIGNATED "A-1" ON THE ACCOMMODATIONS OVERLAY ZONING MAP; AMEND REVISED SUBSECTION B. 1. (G) BY DELETING WORDING REGARDING PEDESTRIAN ACTIVITY AND TRANSIT SYSTEM USAGE AND INSERTING LANGUAGE REGARDING THE LOCATION AND DESIGN OF GUEST DROP OFF AND PICK UP AREAS; AND AMEND REVISED SUBSECTION B. 1. (H) 15 TO REQUIRE ADDITIONAL INFORMATION ON PARKING AND PUBLIC TRANSIT PROVISIONS FOR EMPLOYEES. **(AS AMENDED)**

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That Section 54-220 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with a ~~strike through~~ and adding text shown below with a double-underline:

"Sec. 54-220. - Accommodations overlay zone.

- a. Intent. The A Overlay Zone is intended to identify those areas within the City limits where accommodation uses are allowed. Accommodation uses are prohibited except within the A Overlay Zone, with the exception of bed and breakfasts that are approved in accordance with the provisions of Section 54-208 or 54-208.1, and short term rentals that are approved in accordance with the provisions of Section 54-227. The City places a high value on the preservation of the character of its residential neighborhoods and its mixed-use districts. Potential negative impacts affecting residential neighborhoods shall be avoided or minimized to the greatest extent possible.
- b. Permitted uses. In any Accommodation overlay zoning district, land may be used and buildings or structures may be erected, altered or used for any purpose allowed by the underlying zoning district as listed in Article 2: Part 3, and the following uses subject to the approval of the Board of Zoning Appeals:
1. Accommodation uses. The Board of Zoning Appeals may permit accommodation uses as an exception where it finds that:
 - (a) the facility will not displace ~~elimination~~ of housing units by the proposed facility from the property and, if existing housing are to be altered or replaced on the property, will not adversely affect the existing housing stock;
 - (b) the facility, if located on the peninsula within areas designated "A-1" on the Accommodations Overlay zoning map on a commercial street where the

predominate use on the commercial street within 500 feet of the facility is offices,

will not reduce or displace office space;

(c) the facility will not displace more than 25% of the linear frontage of existing

ground floor storefront retail space on streets with retail store fronts as a

dominant use;

(d) the location of the facility will not significantly increase automobile traffic on streets within residential neighborhoods;

(e) the total square footage of interior and exterior floor area for restaurant and bar space in the proposed facility, including restaurant/bar patron use areas, bar areas, kitchen, storage, and bathroom facilities, shall not exceed 12 percent of the total interior, conditioned floor area in the facility, except that each facility shall be permitted to exempt from the calculation of total restaurant floor area one interior, ground floor restaurant tenant space if the total tenant space does not exceed 2,000 square feet, the restaurant tenant does not serve alcoholic beverages, and the exempt restaurant tenant space is clearly labeled with these restrictions on the floor plans submitted with the application for this zoning special exception;

(f) the proposed use is otherwise in character with the immediate neighborhood and,
if located within the area designated "A-1" on the Accommodations Overlay
zoning map, will not be located on a property that adjoins another property with

an existing accommodations use or a vested approval for an accommodations use
and will not share any facilities with any other accommodations use;

(g) the location and design of the proposed ~~facility~~ guest drop off and pick up area(s)
~~will facilitate pedestrian activity and encourage transit system usage within the~~
~~peninsula~~ is safe and appropriate; and

(h) in making these findings, the Board of Zoning Appeals shall consider the
following information to be provided by the applicant in site plans, floor plans,
building elevations, and a detailed written assessment report to be submitted with
the application:

(1) the number of existing housing units on the property, including units on the
property that were occupied as housing units within the last 5 years, ~~to be~~
~~displaced by~~ the type of unit (rental or owner-occupied; single-family, duplex
or multi-family; occupied or unoccupied), ~~by income range,~~ the rental price
for rental units and market price for owner occupied units relative to the
median area income figures that are determined annually by the U.S.
Department of Housing and Community Development and adjusted by the
City of Charleston Department of Housing and Community Development, or
its successor, ~~the~~ and by physical condition of the units (sound, deficient,
deteriorated or dilapidated), and whether units are to be displaced, physically
altered or replaced on the property;

- (2) the effect of the ~~displacement~~ physical alteration or replacement ~~on the total available housing stock and on the housing stock of a particular type and income range in the service area~~ and whether a condition should be attached to a special exception approval for the accommodations use requiring a minimum percentage of the housing units on the property to remain affordable based on the annually updated median area income values;
- (3) the presence of office space on the property or the presence of spaces on the property that were occupied as office spaces within the last 5 years;
- (4) the linear frontage of existing groundfloor storefront retail space on the property on streets with groundfloor retail storefront spaces as a dominant use;
- (5) the location and design of guest drop off and pick up areas for the facility,
- (6) the number of vehicle trips generated by the facility and the traffic circulation pattern serving the facility and efforts made to minimize traffic impacts;
- (7) the distance of the main entrance and parking entrance of the facility from a road classified as an arterial or collector road;
- (8) the development pattern and predominant land uses within five hundred feet (500') of the facility and, for a facility to be located on a property within the area designated "A-1" on the Accommodations Overlay zoning map, the

presence of existing or vested accommodations uses on an adjoining property;

- (9) the proximity of residential neighborhoods to the facility;
- (10) the accessory uses proposed for the facility in terms of the size, impact on parking, and impact on traffic generation;
- (11) the demonstrated provision of off-street parking at the rate of two spaces that meet the design requirements of Sec. 54-318 for each three sleeping units;
- (12) the presence of industrial uses and uses which use, store, or produce toxic or hazardous materials in quantities in excess of those specified by the EPA listing of toxic and hazardous materials, within five hundred feet (500') of the facility;
- (13) the commitment to environmental sustainability and recycling;
- (14) the distance of the facility from major tourist attractions;
- (15) the distance of the facility from existing or planned transit facilities;
- (16) the long term provision of on- or off-site parking for employees who drive vehicles to work, including an estimate of the number of employees that will drive to work during the maximum shift and the location of parking spaces to be provided; and the demonstrated provision of free transit passes or other incentives to encourage employee use of public transportation;

(17) the location of the proposed facility will contribute to the creation of a diverse mixed-use community;

(18) the number of rooms in the facility; provided however that the number of rooms in a facility shall not exceed 50 in areas designated "A-1" on the zoning map; 180 in areas designated "A-2" on the zoning map; 225 in areas designated "A-3" on the zoning map; 100 in areas designated "A-4" on the zoning map; 150 in areas designated "A-5" on the zoning map; and 69 in areas designated "A-6" on the zoning map; and further provided that within the portion of the area designated "A-1" bounded by King Street on the west, Meeting Street on the east, Mary Street on the south and Line Street on the north, the number of rooms in a facility may exceed 50 if the facility is a full-service hotel that provides 20,000 or more square feet of meeting and conference space, and an on-site restaurant that serves breakfast, lunch and dinner seven days a week;

(19) the provision of shuttle bus services to and from the historic district by facilities with more than 50 rooms located outside the area designated "A-1" through "A-6" on the zoning map and not served by public transit;

(20) the commitment to make affirmative, good faith efforts to see that construction and procurement opportunities are available to DBEs (disadvantaged business enterprise) and WBEs (women business enterprise)

as outlined in Section 2-267 (D)(1), (2), and (3) of the Code of the City of Charleston;

(21) the commitment to make affirmative, good faith efforts to hire personnel, representative of the population of the Charleston community, at all employment levels. “

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____ in the Year of Our Lord, 2016, and in the ____ Year of the Independence of the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Clerk of Council

**CITY OF CHARLESTON
PLANNING COMMISSION**

June 21, 2017

Ordinance Amendment 3 :

Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding to Article 9 thereof a new Part 7 providing for a temporary moratorium on the acceptance or processing of development applications pertaining to properties located in non-residentially zoned districts on James Island that exceed 4 units or 1500 square feet.

BACKGROUND

The attached ordinance was given first reading approval by City Council on May 9, 2017. Further details will be presented during the Planning Commission meeting.

STAFF RECOMMENDATION

APPROVAL

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY ADDING TO ARTICLE 9 THEREOF A NEW PART 7 PROVIDING FOR A TEMPORARY MORATORIUM ON THE ACCEPTANCE OR PROCESSING OF DEVELOPMENT APPLICATIONS PERTAINING TO PROPERTIES LOCATED IN NON-RESIDENTIALLY ZONED DISTRICTS ON JAMES ISLAND THAT EXCEED 4 UNITS OR 1500 SQUARE FEET.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding to Article 9 thereof a new Part 7 providing for a temporary moratorium on the acceptance or processing of development applications pertaining to properties located in non-residentially zoned districts on James Island that exceed 4 units or 1500 square feet, which Part 7 shall read as follows:

“Part 7: Temporary Moratorium

Sec. 54-980 Findings.

City Council makes the following findings of fact:

While the various areas that make up the City share common needs and goals, each area has its own identity and unique pattern of development. The James Island area of the City is generally residential. It is important that the citizens of this area of the City have access to business and retail opportunities that serve their commercial and recreational interests, without an extended commute off the Island. In recent times, more and more properties on James Island that are zoned for business and commercial use have developed or approved for development in a manner that does not further or relate to retail, business or commerce. In an effort to preserve a balance of uses on the Island and to see that the commercial needs of its citizens are met, on the Island, City Council deems it in the interests of the public, and in furtherance of the health, safety and welfare of the citizens of James Island and the City as a whole, that the uses in the non-residential zoning districts on James Island be studied and amended if necessary so that the identity

of the Island will be maintained, the uses on the Island will be balanced and the citizens of the Island have access to meaningful commercial and retail facilities. The study should address all non-residential zoning districts on James Island as they relate to uses, density of development, height and dimensional requirements as they relate to the identity of the Island as a whole. As this study is underway, City Council deems it appropriate to essentially maintain the status quo with respect to properties on the Island that are located in non-residential zoning districts so that the study can proceed in an orderly, fair and meaningful manner.

City Council deems it necessary and proper, in order to sustain the peace, good order, livability and quality of life on James Island to suspend that acceptance or processing of development applications for projects greater than 4 units or in excess of 1500 square feet for properties on James Island located in non-residential zoning districts for a discreet period of time as a study is undertaken, and in furtherance of the powers of home rule devolved upon it by S. C. Code Ann. §5-7- 10 *et seq* and the land use, planning and zoning authority devolved upon it by S. C .Code Ann. § 6-29-310 *et seq* (South Carolina Local Government Comprehensive Planning Act), deems it necessary and proper to enact a temporary moratorium on the acceptance or processing of development applications pertaining to properties located on James Island in non-residential zoning districts that exceed 4 units or 1500 square feet for a period of 180 days.

Sec. 54-981. Temporary Moratorium.

A temporary moratorium for a period of 180 days from the date of first reading of this Ordinance is hereby imposed on the acceptance and processing of development applications pertaining to properties located on James Island in non-residential zoning districts that exceed 4 units or 1500 square feet.

Sec. 54-982. Purpose.

The purpose of the temporary moratorium is to allow the Department of Planning, Preservation and Sustainability, in consultation with other City departments, affected property owners and residents and the business and development community, a discreet period of time to study the provisions of the non-residential zoning districts in the James Island area of the City to assure that those provisions appropriately maintain a balance of uses on the Island, meet the commercial needs of those living on the Island and protect the quality of life of those living and working on the Island, and to make such recommendations to Council as may be necessary to achieve these ends.

Sec. 54-983. Exceptions.

Excepted from the provisions of Sec. 54-981 are development projects that have received a first review by the Technical Review Committee, have received or are on the May 17, 2017 agenda for conceptual approval from the Design Review Board or have received an approved site specific development plan as defined by Sec. 54- 961.

Sec. 54-984. Expiration.

The provisions of this Part 7 shall expire 180 days from the date of first reading of this Ordinance.”

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____ in the Year of Our Lord, 2017,
and in the _____th Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST: _____
Clerk of Council

**CITY OF CHARLESTON
PLANNING COMMISSION**

June 21, 2017

Ordinance Amendment 4 :

Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) pertaining to Article 2, Part 15 – Mixed Use 1 - Workforce Housing District and Mixed Use 2 - Workforce Housing District.

BACKGROUND

This item will be presented in detail during the meeting.

STAFF RECOMMENDATION

TO BE DISCUSSED DURING THE MEETING

AN ORDINANCE

TO AMEND PROVISIONS OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) PERTAINING TO ARTICLE 2, PART 15 – MIXED USE 1 - WORKFORCE HOUSING DISTRICT AND MIXED USE 2 - WORKFORCE HOUSING DISTRICT. ~~(AS AMENDED)~~

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Article 2, Part 15 – Mixed Use 1 – Workforce Housing District and Mixed Use 2 – Workforce Housing District of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to read as follows (new text in **bold and double underlined** and deleted text with ~~striethrough~~):

PART 15 - MIXED USE 1 - WORKFORCE HOUSING DISTRICT MIXED USE 2 - WORKFORCE HOUSING DISTRICT

Sec. 54-297. - Findings.

City Council finds that its urban areas have traditionally included mixed use developments that incorporate housing opportunities for persons of varying means and incomes, along with complementary nonresidential uses. City Council finds that these mixed use developments have contributed significantly to the economic success and unique fabric of its urban environment by enhancing diversity and providing job opportunities, and that it is in the public interest that incentive-driven districts be established to encourage the continued development of mixed use projects.

Sec. 54-298. - Purpose.

These districts are intended to promote a mixture of housing opportunities within a single development, along with appropriate nonresidential uses, by providing incentives for the creation of such developments in urban areas of the city where on street parking or other public parking is customary and can be reasonably accommodated.

Sec. 54-299. - Availability.

The MU-1/WH and MU-2/WH districts, being incentive based, are only available to property owners who apply for the district designation.

Sec. 54-299.1. - Definitions.

For the purpose of this part, the following terms mean:

- a. Owner occupied workforce housing unit: A dwelling unit where at least one occupant is an owner, and where all occupants have, in the aggregate, household income less than or equal to one hundred twenty (120%) percent of the area median income (AMI) for owner occupied units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.
- b. Rental workforce housing unit: A dwelling unit, where occupants have, in the aggregate, household income less than or equal to eighty (80%) percent of the area median income (AMI) for rental units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.
- c. Qualified household: Households where occupants have, in the aggregate, a household income less than or equal to one hundred twenty (120%) percent of the area median income (AMI) for owner occupied units, and a household income less than or equal to eighty (80%) percent of the area median income (AMI) for rental units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.
- d. Initial maximum allowable sales price: An amount equal to three (3) times one hundred twenty (120%) percent of the area median income (AMI), as determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors, plus any subsidy available to the buyer.
- e. ~~Fair~~**Affordable** market rent: ~~An amount calculated and~~ **An amount equal to thirty (30%) percent of eighty (80%) percent of the annual Area Median Income (AMI),** as published annually by the United States Department of Housing and Urban Development, or its successor, for the Charleston-North Charleston Metropolitan Statistical Area, as may be adjusted by the City of Charleston Department of Housing and Community Development, or their successors. **Affordable rent for efficiency/studio units is the High HOME rents as published annually by the United States Department of Housing and Urban Development, or its successor, for the Charleston-North Charleston Metropolitan Statistical Area, as may be adjusted by the City of Charleston Department of Housing and Community Development, or their successors.** ~~(eighty (80%) percent of area median income (AMI)).~~ In the absence of such information, the rents charged by the owner shall not exceed thirty (30%) percent of the annual household income.
- f. Household income: All sources of financial support, both cash and in kind, of adult occupants of the housing unit, to include wages, salaries, tips, commissions, all forms of self-employment income, interest, dividends, net rental income, income from estates or

trusts, Social Security benefits, railroad retirement benefits, Supplemental Security income, Aid to Families with Dependent Children or other public assistance welfare programs, other sources of income regularly received, including Veterans' (VA) payments, unemployment compensation and alimony, and awards, prizes, government or institutional or eleemosynary loans, grants or subsidies and contributions made by the Household members' families for medical, personal or educational needs.

Sec. 54-299.2. - Land uses.

The permitted land uses in these districts are those listed under Article 2, Part 3, Table of Permitted Land Uses, in the column headings having the applicable district designation to wit: MU-1/WH or MU-2/WH, modified as follows:

- a. Every development in the MU-1/WH or MU-2/WH zoning district that has five (5) or more residential units must include owner occupied workforce housing units and/or rental workforce housing units. Every development in the MU-1/WH or MU-2/WH zoning district that has less than five (5) units must include at least one (1) owner occupied or rental workforce housing unit or nonresidential use(s) that face the street on the ground level in accordance with the provisions of subsection b.
- b. The number of owner occupied workforce housing units and/or rental workforce housing units per development shall be the greater of: (1) one ~~(1)~~ unit; or (2) ~~fifteen~~ ~~(15)~~ twenty (20%) percent of the number of residential units in the development, rounded up to the next whole number, whichever is greater. The workforce housing units shall be sized, in terms of square footage and number of bedrooms, comparable and proportional to the square footage and number of bedrooms of the market rate units in the development as a whole. The smallest workforce housing unit by bedroom count shall not be smaller than the smallest market rate unit with the same number of bedrooms. The workforce housing units shall be integrated and intermixed within the market rate units in a development and not clustered together or segregated from the market rate units. Developments that contain multiple buildings shall incorporate in each building workforce housing units comparable and in proportion, square footage and bedroom wise, to the number of market rate units in the building. Exterior finishes of workforce housing units shall be the same type and quality as the development's market rate units.

Developments that do not include owner occupied and/or rental workforce housing units must dedicate the greater of: (1) fifty (50%) percent of the square footage of the ground level or one thousand five hundred (1,500) square feet for nonresidential uses. Nonresidential uses in the MU-1/WH district are the nonresidential uses allowable in the Limited Business (LB) district, and nonresidential uses in the MU-2/WH district are the nonresidential uses allowable in the General Business (GB) district.

- c. Fee payment in lieu of units (rental units only): In lieu of providing on site rental workforce housing units, a developer may choose to contribute a fee, on a per unit basis, to the City's Affordable/Workforce Housing Account for any or all of the number of workforce housing units required for the development.

The fee, per unit, shall be a sum equal to the number of gross square footage in the development, whether residential, retail, commercial or otherwise, and inclusive of

all heated and unheated spaces (but excluding parking garages) multiplied by \$5.10, then divided by the number of required workforce units in the development. Square footage initially used solely as a grocery store or pharmacy may be excluded from gross square footage for purposes of calculating the fee; provided however, if at any time during the period of twenty-five (25) years after the issuance of a certificate of occupancy for the development, the use of the square footage as a grocery store or pharmacy is apses for a period of twelve (12) consecutive months, or is utilized for any other purpose, the then owner of the development shall be required, as a condition of occupancy of such space, to pay a sum equal to the difference between fee per unit that would have been payable had the space not been excluded from the per unit calculation and the fee per unit initially.

Fees shall be calculated at the time of building permit application, and paid in full prior to the issuance of a certificate of occupancy for any part of the project.

d. Land donation in lieu of units: Upon approval of City Council, and in its sole discretion, land may be donated to the City for Workforce Housing to satisfy some or all of workforce housing units required by the development. The size, configuration and location of any land proposed for donation shall be capable and appropriately zoned to support, at minimum, the number of units it is intended to replace, and is subject to the sole approval of City Council, which may be withheld for any or no reason. Should the City elect to accept a land donation in lieu of construction of units, the developer shall be wholly responsible for the costs of acquisition of the land and transfer to the City, including but not limited to costs of surveys, plats, environmental investigation, title insurance, City attorneys' fees and recording costs. Title to the land proposed for donation shall be transferred to the City prior to the issuance of a building permit for any part of the development.

ee. Prior to receiving a building permit for any portion of a development, the owner thereof shall provide, in writing, to the satisfaction of the City of Charleston Department of Housing and Community Development, or its successor, information identifying the total number of one bedroom units, two bedroom units, etc., and the respective square footages of the same, the total number of one bedroom workforce housing units, two bedroom workforce housing units, etc., and the respective square footages of the same, and the location of the workforce housing units in the development. Prior to the issuance of a certificate of occupancy for any portion of a development, the owner thereof shall identify, in writing, to the City of Charleston Department of Housing and Community Development, or its successor, the units designated as owner occupied workforce housing units and/or rental workforce housing units.

fe. i. Prior to the issuance of a certificate of occupancy for any portion of a development, the owner shall execute covenants satisfactory to the City that identifying the owner occupied workforce housing units and/or rental workforce housing units and which restricting such units to occupancy, and if applicable ownership, by qualified households for a period of no less than ~~ten (10)~~ twenty-five (25) years, and submit a

copy of the recorded covenants to the City of Charleston Department of Housing and Community Development, or its successor.

ii. As for the owner occupied workforce housing units, the covenants shall identify the initial maximum allowable sales price, and provide that the initial maximum allowable sales price may be adjusted annually for inflation based on the increase in the area median income (AMI) or Consumer Price Index, whichever is greater. Each owner of such units, prior to initial occupancy, shall be required to submit to the City of Charleston Department of Housing and Community Development, or its successor, a verified income report of household income of all members of the household. The covenants shall require notice to the City of Charleston Department of Housing and Community Development, or its successor, of any transfer of the owner occupied workforce housing units and verification that the purchaser is a qualified household. Owner occupied workforce housing units shall be subject to resale restrictions for no fewer than ~~ten (10)~~ twenty-five (25) years from date of initial sale of the property. Such restrictions will be recorded as deed restrictions.

iii. As for rental workforce housing units, the covenants shall require the owner to provide proof to the City of Charleston Department of Housing and Community Development, or its successor, at inception of every tenancy, and on an annual basis thereafter, that no more than ~~fair~~ affordable ~~market~~ rent is being charged for the unit(s), and verified income reports of household income of all ~~rental~~ occupants of rental workforce housing units. Rental workforce housing units shall be subject to these restrictions for no fewer than ~~ten (10)~~ twenty-five (25) years from the initial occupancy as workforce housing.

iv. The covenants for rental workforce housing units shall provide:

If a workforce housing unit is converted from rental occupied to owner occupied occupancy during the term of the rental workforce housing covenants, the unit shall be subject to the owner occupied workforce housing unit requirements as set out in subsection f (ii) (to include an Initial Maximum Sales Price) for a term of months equal to the number resulting when subtracting from 300 months the number of months the unit has been subject to rental workforce housing covenants.

Conversion of a workforce housing unit from owner occupied to renter occupied occupancy shall not be permitted.

Covenants shall require written notice to the City prior to any conversion taking place.

ge. The covenants shall accord the City of Charleston, or its assignee, rights to enforcement by any legal and/or equitable means, including the revocation of a certificate of occupancy, and in all events be subject to approval by corporation counsel.

h. If the development is to be phased, each phase shall include workforce housing units concurrently with the market rate units in the particular phase. A phasing plan that brings the workforce housing units on line at the end of build out is not permitted.

i. The upkeep of rental workforce housing units shall be of the same quality as the upkeep of the other market rate rental units of the development.

Sec. 54-299.3. - Parking and loading.

Parking requirements for an owner occupied workforce housing unit or rental workforce housing unit shall be one (1) space per two units.

Parking requirements for an owner occupied market rate housing unit or rental housing unit shall be one (1) space per unit.

Parking requirements for nonresidential uses in developments shall be governed by the parking provisions of Article 3, Part 4, Off-Street Parking Requirements; provided however, there shall be no off-street parking requirements for nonresidential uses in developments for the first five thousand (5,000) square feet of area dedicated for nonresidential uses, not including restaurants and bars which shall follow the parking requirements of Article 3, Part 4, and further provided that the off-street parking requirement for office uses shall be one (1) space per 600 square feet (excluding halls, stairwells, storage/elevator shafts and bathrooms). There are no off-street loading requirements for nonresidential uses.

Sec. 54-299.4. - Height, area and setback regulations.

The height, area and setback regulations for the MU-1/WH and MU-2/WH districts are listed under Article 3, Part 1, Table 3.1: Height, Area and Setback Regulations.

Sec. 54-299.5. - Affordable/Workforce Housing Account.

There is hereby created a City of Charleston Affordable/Workforce Housing Account. Fees contributed to the account per Sec. 54-299.2(c), along with all interest earnings, shall be used solely for the purpose of creating and/or improving workforce and/or affordable housing, including but not limited to improving or redeveloping existing housing stock, the acquisition of land, costs and fees for design and construction of affordable housing, and loans or grants to affordable housing providers. The terms of any assistance shall be developed by the City of Charleston Department of Housing and Community Development, or its successor, and approved by City Council.

Sec. 54-299.6. - Existing MU-1/WH and MU-2/WH classifications.

Properties with the zoning classification of MU-1/WH or MU-2/WH as of January 10, 2017, or for which an application has been filed for a rezoning to either these classifications, as of January 10, 2017 and which is thereafter approved by City Council, shall be governed by the provisions of this Article except as follows:

- a. Sec. 54-299.2 (b): First paragraph: the number of owner occupied workforce housing units, and/or rental workforce housing units, shall be no less than fifteen (15%) percent of the number of units in the development, rounded up to the next whole number.
- b. Sec. 54-299.2 (c): Fee payment in lieu of workforce rental units is optional. If the fee in lieu option is selected, the fee, per unit shall be a sum equal to the number of gross square footage in the development, whether residential, retail, commercial or otherwise, and inclusive of all heated and unheated spaces (but excluding parking garages) multiplied by \$3.40, then divided by the number of required workforce units in the development (calculated at a 15% requirement). Square footage initially used solely as a grocery store or pharmacy may be excluded from gross square footage for purposes of calculating the fee; provided however, if at any time during the period of twenty-five (25) years after the issuance of a certificate of occupancy for the development, the use of the square footage as a grocery store or pharmacy lapses for a period of twelve (12) consecutive months, or is utilized for any other purpose, the then owner of the development shall be required, as a condition of occupancy of such space, to pay a sum equal to the difference between fee per unit that would have been payable had the space not been excluded from the per unit calculation and the fee per unit initially paid.

If a certificate of occupancy has been issued for the development or applicable phase, the fee per unit shall be prorated to account for the number of months the unit has already been subject to rental workforce housing covenants.
- c. Sec. 54-299.2 (f) (i)-(iii): The term of affordability shall be no less than ten (10) years.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____ in the Year of Our Lord, 2017, and in the ____th Year of the Independence of the United States of America

John J. Tecklenburg
Mayor, City of Charleston

ATTEST:

Vanessa Turner Maybank
Clerk of Council